



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.12.2001  
COM(2001) 74 final

2001/0308 (COD)

Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the establishment of a Community framework for noise classification of civil subsonic aircraft for the purposes of calculating noise charges**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

### **1. INTRODUCTION**

1. The Commission Communication on Air Transport and Environment {COM(1999)640final} proposed, amongst other things, the introduction of economic incentives to encourage operators to use technology that allows to improve the environmental impact of air transport. This is in line with the general thrust of the Communication "to reward the best and punish the worst". This approach has been endorsed by the Council and the European Parliament.
2. One of the possibilities to provide economic incentives to operators is to modulate airport charges in order to take account of the level of noise nuisance caused by a specific aircraft.

Aircraft noise is already currently integrated into some Community airport charging systems particularly with differentiation on the basis of the noise characteristics of the aircraft. However, the criteria used for differentiation and quantification of nuisance as an environmental cost vary widely from Member State to Member State and sometimes even from one airport to another. This has negative repercussions on the proper functioning of the air transport market. In addition, the differentiation often lacks consistency in a Community context and does not always make it possible to compare one system with another.

3. With the transition to an all Chapter 3 fleet in April 2002 as a result of Council Directive 92/14/EEC<sup>1</sup>, it is now appropriate to establish in line with the action plan outlined in the Communication on Air Transport and Environment, a framework of common criteria for noise classification of aircraft within Chapter 3. The present initiative builds upon the European Civil Aviation Conference (ECAC) recommendation on noise charges, endorsed by ECAC Directors General for Civil Aviation at the 24<sup>th</sup> ECAC Triennial Session on 29 June 2000, with a view to establishing a Community wide system. This should prevent a proliferation of noise charging schemes using different classifications. The introduction of a common system should also enhance transparency, fairness of treatment and predictability of the noise component of the airport charges.

### **2. CURRENT FRAMEWORK FOR AIRPORT CHARGES**

4. Community airport charging systems differ from one Member State to another. There may also be differences within Member States. In 8<sup>2</sup> Member States the charging system incorporates an environmental component, such as a specific noise charge or as a part of the landing charge modulated according to the noise of the aircraft. At a large number of airports, which currently apply noise related airport charges, the charging system only differentiates between Chapter 2 and Chapter 3 aircraft, as defined by Annex 16 – Volume 1 to the Convention on International Civil Aviation . Other airports apply charging systems, which classify aircraft in a larger number of

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<sup>1</sup> OJ L76 of 23.3.92, p. 21 as amended by Council Directive 98/20/EC, OJ L107 of 7.4.98, p. 4  
<sup>2</sup> Austria, Belgium, France, Germany, Italy, the Netherlands, Sweden, United Kingdom

noise groups than just Chapter 2 and Chapter 3 and which use either noise certification data or operational noise levels.

5. The Commission has addressed the current lack of harmonisation in airport charging systems in general and presented on 23 April 1997<sup>3</sup> a Proposal for a Council Directive on airport charges. The aim was to establish a common framework to ensure fair and equitable treatment of users. It would also allow airports to adapt the use of the charging system to be compatible with environmental constraints. The Proposal included three basic principles underlying any charging system as established by ICAO<sup>4</sup>: non-discrimination between equivalent services; cost-relatedness; and transparency. In relation to the environmental component, the proposal allowed for the modulation of airport charges on the basis of the environmental costs due to air traffic, provided that it was revenue neutral and applied in a transparent and non discriminatory manner. However, the proposal did not contain any guidelines on the criteria to be used for this modulation. So far, it has not been possible to reach a common position in the Council on this proposal
6. The present proposal for a Directive addresses that shortcoming and provides a common framework for aircraft noise classification. The framework could usefully complement the proposed airport charges directive or could stand-alone, as the introduction of a common framework would enhance convergence, transparency and predictability in the noise component of charging systems.

### **3. CHARACTERISTICS OF A COMMON FRAMEWORK**

#### *Technical characteristics*

7. In order to address the shortcomings of currently used noise charging systems, the ECAC Group of Experts on the Abatement of Nuisances Caused by Air Transport (ANCAT) formed a technical subgroup on Transport Aircraft Noise Classification (TANC). The subgroup established common criteria for developing a charging regime to promote the use of less noisy aircraft. The technical criteria included in the present proposal originate in the TANC work. This group comprised experts from a wide range of interests.
8. The proposed common framework for the calculation of noise charges incorporates the following general principles:
  - In accordance with established ICAO policy, transparency and cost-relatedness should be applied to the common noise classification of aircraft. In addition, although ICAO policy guidance on airport charges allows for a modulation of charges, it recommends the application of the principle of revenue neutrality. Thus the sum of surcharges and rebates (=negative charges) should not exceed the cost of provision of the service. However, environmental charges that are levied with the specific purpose of financing environmental mitigation measures in the area surrounding the airport, such as sound insulation for example, are compatible with current ICAO charging principles. In this context, ICAO Doc 9082 states that

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<sup>3</sup> COM(197)154final, OJ C n°257, 22.08.1997, p. 2 amended by OJ C n° 319, 16.10.1998, p. 4

<sup>4</sup> ICAO Doc 9082/5, Statements by the Council to contracting states on charges for airports and air navigation services, fifth edition, 1997

*“noise related charges should be levied only at airports experiencing noise problems and should be designed to recover no more than the costs applied to their alleviation or prevention”.*

- The common noise classification of aircraft is established for charging purposes only.
  - The proposed classification is based on the absolute noise performance of individual aircraft as measured for the purpose of granting a noise certificate. The certification values in EPNdB<sup>5</sup> were considered to be the best and most consistent available to reflect the contribution of individual aircraft to the level of noise exposure around airports. For the noise level at arrival (symbol *La*) this is the certificated value at the approach measurement point as defined Annex 16; for the noise level at departure (symbol *Ld*) this is the arithmetic average of the certificated values at the lateral and flyover measurement points as defined in Annex 16. It should be noted that ICAO Doc 9082 explicitly refers to Annex 16, when stating that *“any noise related charges should be associated with the landing fee, possibly by means of surcharges or rebates, and should take into account the noise certification provisions of Annex 16 in respect of aircraft noise levels.”*
  - The proposed classification should respect the principle of proportionality between noise charges and noise impact. This can be best achieved by using the noise energy level, which is equal to the antilogarithm of the noise level expressed in decibels. This is justified by the fact that the external costs, at noise levels which are typical for noisy airports, are not proportional to the noise level expressed in decibels but rather to noise energy. These costs increase far more quickly than the noise level in decibels: an increase of 3 decibels implies a doubling of costs.
  - The variation between the minimum and maximum noise charge should be no more than 1:20. This corresponds to a difference of 13 decibels, which is considered sufficient to maintain the environmental effectiveness of the noise-charging scheme.
  - Although the technical work was done on the basis of the current ICAO Chapter 3 certification data the common framework would remain valid after the introduction of a any new ICAO noise standard, as long as the certification procedures of Annex 16 were not changed.
  - The common classification should be sufficiently flexible to allow for the introduction of airport specific elements, such as the fleet mix operating at a given airport, the unit noise charge at departure or arrival, the noise threshold at departure and arrival, the reference period during which the unit noise charge applies (e.g. 24 hour period, night-time, daytime).
9. The proposed common classification of aircraft is based on the principle that an aircraft operator should pay a fair price that should be proportional to its noise impact, independently of the weight of the aircraft or of the transport service

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<sup>5</sup> unit of measurement in decibels for the Effective Perceived Noise level, i.e. the value of the perceived noise level adjusted for both the spectral irregularities and the duration of the noise.

rendered. However, additional data reflecting the ‘noise productivity’ (i.e. the noise emitted per passenger or tonne of cargo) could usefully complement the aircraft classification. Such data would make it possible to recognise the environmental merits of larger aircraft, even if these aircraft are noisier in absolute terms when compared to lighter aircraft. Therefore, the proposal contains a discretionary provision on information to the public concerning the noise productivity of heavier aircraft.

#### **4. SUBSIDIARITY AND PROPORTIONALITY: JUSTIFICATION AND ADDED VALUE**

10. In making its proposal the Commission has also considered its compatibility with the principles of subsidiarity and proportionality.
11. The objective of the proposal is to enhance the environmental effectiveness of noise charges through the introduction of a common framework for the calculation of noise charges applicable to individual aircraft. The common framework should replace the various aircraft classification systems, which are currently applied at Community airports for the calculation of noise charges. These systems do not always adequately reflect the relative noise impact for populations living around airports and have been criticised for lack of transparency and predictability. A harmonised approach, which takes better account of the relative noise impact of different aircraft, will contribute towards improving the environmental performance of air transport operations in the Community. In a liberalised air transport market it is important to avoid distortions caused by a differentiated approach to the same types of aircraft at different airports.
12. In addition, the proposed measure is in line with the general obligations of the Community to promote sustainable development of economic activities such as air transport as well as an improvement of the quality of the environment by integrating environmental protection requirements into common policies, such as the air transport policy<sup>6</sup>. The objectives of the proposed Directive are also in line with the general thrust of the common transport policy, which is to promote the sustainable development of transport activities.
13. Given the large difference in the aircraft noise classification systems, which are currently applied at airports in Member States, Community action is necessary with a view to introducing a common framework for these systems. However, the responsibility for the decision to introduce noise charges in order to address noise problems at airports remains with the Member States.
14. In conformity with the proportionality principle, a Directive is considered sufficient in this case. It leaves each Member State the right to decide on the best implementation tools, which fit its internal system. The proposed measure is limited to the minimum required in order to achieve the above-mentioned objective, without going beyond what is necessary for that purpose. It leaves sufficient scope for Member States to take into account airport specific parameters, such as the level of the unit noise charge, the characteristics of the fleet operating at a particular airport, the variation between the highest and the lowest charge.

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<sup>6</sup> As laid down in Articles 2 and 6 of the Treaty establishing the European Community

## **5. RESULTS OF CONSULTATION OF MEMBER STATES AND STAKEHOLDERS**

15. The technical elements, which are part of the proposed Directive, have been examined in great detail within the TANC group. The ECAC group of experts ANCAT has been regularly informed about the state of progress of the TANC work and was given the opportunity to provide guidance for the continuation of this work. Besides technical experts from ECAC Member States, representatives of airports, carriers and the aeronautical manufacturing industry have participated in the TANC group. As mentioned before the ECAC Directors General for Civil Aviation including the representatives of the Member States of the European Union have endorsed the recommendation based on the work of the TANC group at the 24<sup>th</sup> ECAC triennial session on 29 June 2000.
16. In addition, the Commission services have consulted Member States and stakeholders at an experts' meeting on 27 July 2000. Experts expressed a high degree of support for the proposed Directive.

## **6. COSTS OF IMPLEMENTATION**

17. Since it is accepted that airports with existing charging systems would have difficulty changing their approach immediately, the Commission is of the opinion that only newly introduced or amended noise related charging system would be required to adopt the new system as from the date of entry into force. Others might choose to introduce it on a voluntary basis. However, to ensure maximum transparency between charging systems at Community airports it is proposed that after a suitable transition period all airports levying noise related charges should apply the new framework.

Such a stepped approach should not lead to significant additional costs, since airport charging calculation systems are revised from time to time. In most Member States such a revision does not require amendments to existing law.

18. Because the proposed variation in noise charges based on the common classification of aircraft respects the principle of global revenue neutrality, it will not result in additional revenues for the airport nor to an overall cost increase for air carriers. Because charges are modulated on the basis of the noise characteristics of aircraft, some carriers using noisy aircraft will pay proportionately more than others, but this is intended in order to promote investments in less noisy aircraft.
19. With the forthcoming publication by ICAO of an aircraft noise certification database the required access to noise certification data of individual aircraft necessary to classify each aircraft should not lead to significant additional expenditure on behalf of implementing authorities.

## **7. PROVISIONS OF THE PROPOSAL**

20. Article 80(2) of the Treaty is the appropriate legal basis for the proposed Directive because it aims at introducing a harmonised calculation basis to be applied by airports in the Community when they levy noise charges in order to address noise problems. This objective is closely related to the proper functioning of the internal market for air transport, which has been completed by the third liberalisation

package. In addition, the same legal basis has been used for all Community legislation in the field of air transport, including legislation on the limitation of aircraft noise.

Article 1 establishes the objective and the scope of the proposed Directive. After a transition period it would apply to any airport levying noise charges.

Article 2 contains the definitions, which are necessary for the proper interpretation of the Directive.

Article 3 establishes the common criteria to be used when calculating the noise charge, in particular those used to characterise the noise levels of an aircraft at arrival and departure as well as to limit the variation of noise charges.

Article 4 provides for an application in 2 phases.

Article 5 contains a permissive provision on the complementing the noise classification by additional information on noise productivity.

Article 6 introduces a regulatory committee to assist the Commission in ensuring that the Directive refers to the most recent version of Annex 16- Volume 1 to the Convention on International Civil Aviation in case amendments to Annex 16 are adopted after the entry into force of the Directive.

Article 7 establishes a reporting obligation for the Commission, making it necessary to assess the application of the provisions of the Directive.

Articles 8 to 10 are standard articles dealing mainly with the implementation of the Directive into national law.

Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the establishment of a Community framework for noise classification of civil subsonic aircraft for the purposes of calculating noise charges**

**(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80 (2) thereof,

Having regard to the proposal from the Commission<sup>7</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>8</sup>,

Having regard to the opinion of the Committee of the Regions<sup>9</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>10</sup>,

Whereas:

- (1) It is part of Community policy, in conformity with Articles 2 and 6 of the Treaty, to enhance significantly the integration of environmental protection requirements into other sectoral policies, including transport policy.
- (2) One of the main objectives of the common transport policy is to promote the sustainable development of transport activities
- (3) The Commission Communication on Air Transport and Environment<sup>11</sup> proposes the use of economic instruments in order to improve the environmental performance of air transport operations.
- (4) The Council Directive on airport charges<sup>12</sup> provides for the possibility to modulate airport charges as a function of the environmental impact without establishing criteria for such modulation.
- (5) A modulation of noise charges for environmental purposes based on a common classification of aircraft according to their noise impact will enhance environmental

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<sup>7</sup> OJ C , , p. .

<sup>8</sup> OJ C , , p. .

<sup>9</sup> OJ C , , p. .

<sup>10</sup> OJ C , , p. .

<sup>11</sup> COM(1999) 640final, 1.12.1999

<sup>12</sup> Commission Proposal: OJ C 257, 22.08.1997, p.2 as amended by COM(1998)509final, OJ C 319, 16.10.1998, p. 4

effectiveness, transparency of charging systems and predictability for air transport operators.

- (6) Such modulation is not designed to generate additional revenue. It should respect the principle of revenue neutrality and be applied in a transparent and non-discriminatory manner.
- (7) The certificated noise levels as defined in Annex 16 - Volume I to the Convention on International Civil Aviation, third edition, July 1993 are considered to reflect adequately the noise impact for the population living in the vicinity of airports. The noise level at arrival can be adequately characterised by the certificated noise level at the approach measurement point as defined in the said Annex 16, for the noise level at departure there is a good correlation with the average of the certificated noise level at the sideline and flyover measurement point as defined in the said Annex 16.
- (8) Noise charges should be proportional to the incremental nuisance for human beings caused by individual aircraft separately at arrival and departure. The relationship between this incremental nuisance and the aircraft noise level can be most adequately reflected by the noise energy level.
- (9) In order to ensure maximum transparency between noise charging systems at Community airports, the common framework for noise classification of aircraft should after a suitable transition period be applied by airports which operate commercial flights between Member States provided that they levy noise charges.
- (10) It is useful to ensure a better understanding of the concept of noise productivity, in particular for the heavier aircraft, by providing additional information about the noise output per unit transported.
- (11) The Directive is in accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, since the objective of enhancing the environmental effectiveness of noise charges cannot be sufficiently achieved by Member States, because various systems of noise classification are used for charging purposes. The objective can therefore, be better achieved by the Community by way of a harmonised framework for the calculation of noise charges. The Directive confines itself to the minimum required in order to achieve this objective and does not go beyond what is necessary for that purpose.
- (12) Since the measures necessary for the implementation of this Directive are measures of general scope within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>13</sup>, they should be adopted by use of the regulatory procedure provided for in Article 5 of that decision.
- (13) The Commission should carry out by 1 April 2008 an evaluation of the implementation of this Directive.

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<sup>13</sup> OJ L 184, 17.7.1999, p. 23

HAVE ADOPTED THIS DIRECTIVE:

### *Article 1*

#### **Objectives and Scope**

The aim of this Directive is to enhance the environmental effectiveness of noise charges levied at airport level by ensuring that common criteria based on the noise performance of aircraft are used when calculating the level of these charges for environmental purposes.

This Directive applies in accordance with the provisions set out in Article 4 to airports or airport systems which operate commercial flights between Member States and which are located in the territory of a Member State, provided that noise charges are applied.

### *Article 2*

#### **Definitions**

1. For the purpose of this Directive:
  - (a) “noise charge” means a specific noise levy by the airport, related to the certificated noise characteristics of the aircraft, which is designed to recover the costs of alleviation or prevention of noise problems and to encourage the use of less noisy aircraft.
  - (b) “modulation” means that within a globally revenue neutral framework there can be differentiation in the level of noise charges applied.
  - (c) “*La*” means the noise level of an aircraft at arrival. It is equal to the value of the certificated noise level expressed in Effective Perceived Noise (EPN) decibels at the approach measurement point and calculated as defined in Annex 16 - Volume 1 to the Convention on International Civil Aviation, third edition, July 1993. The related noise energy is equal to the antilogarithm  $La/10$ .
  - (d) “*Ld*” means the noise level of an aircraft at departure. It is equal to the arithmetic average (mean) of the certificated noise levels expressed in EPN decibels at the lateral and flyover measurement points as defined in the said Annex 16. The related noise energy is equal to antilogarithm  $Ld/10$ .
  - (e) ‘noise productivity of an aircraft’ means the noise emissions per unit of payload: passenger or tonne of cargo,
2. In accordance with the procedure laid down in Article 6(2), Article 2 (c) and (d) of this Directive may be adapted, in order to apply, for the purpose of this Directive, subsequent amendments to Annex 16, Volume 1 to the Convention on International Civil Aviation, which enter into force after the adoption of this Directive.

### *Article 3*

#### **Common framework for the calculation of noise charges**

Member States shall take the necessary measures to ensure that the calculation of noise charges at airports in their territory is based on the following criteria:

- (1) The noise charge for arrivals and departures should be proportional to the relative noise impact of arrivals and departures for populations around airports. The noise charge for an arrival and a departure at a given airport should be calculated as set out in the Annex to the present Directive.
- (2) The calculation of the noise energies at arrival and departure shall be based on the noise levels *La* and *Ld*.
- (3) The modulation of noise charges within a given time period should be limited to a ratio of 20 being the maximum variation between the highest and the lowest noise charge. A lower ratio may be applied.

#### *Article 4*

#### **Application of the common framework**

Member States shall take the necessary measures to ensure that the common framework for the calculation of noise charges is applied:

- (1) As from 1 April 2003
  - (a) in any significant revision of existing systems of noise charges
  - (b) for newly introduced systems of noise charges.
- (2) As from 1 April 2006 to any system of noise charges.

#### *Article 5*

#### **Information to the public**

In order to ensure that the concept of noise productivity is well understood, Member States or airports authorities may complement the noise characteristics of aircraft *La* and *Ld* used for the calculation of noise charges by additional information reflecting the noise productivity of an aircraft, in particular for aircraft with a maximum take-off weight of more than 34 tonnes.

#### *Article 6*

#### **Regulatory Committee**

1. The Commission shall be assisted by the Aviation Safety Regulations Committee set up by Council Regulation (EEC) n° 3922/91 of 16 December 1991<sup>14</sup>, composed of representatives of Member States and chaired by the representative of the Commission (hereinafter referred to as “the committee”).

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<sup>14</sup> OJ L 373, 31.12.1991, p. 4, amended by Regulation (EEC) N° 2176/96, OJ L 291, 14.11.1996, p. 15

2. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply, in compliance with Article 8 thereof.
3. The period provided for in Article 5(6) of Decision 1999/468 shall be three months.

#### *Article 7*

#### **Review and reporting**

The Commission shall submit to the European Parliament and the Council a report based on experience on the application of this Directive not later than 1 April 2008.

The report shall be accompanied, as appropriate, by proposals to amend this Directive.

#### *Article 8*

#### **Transposition**

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by one year after its entry into force at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

#### *Article 9*

#### **Entry into force**

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

#### *Article 10*

#### **Addressees**

This Directive is addressed to the Member States.

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## ANNEX

- **Calculation of noise charge**

The total noise charge for one arrival and one departure at a given airport is:

$$C = Ca \cdot 10^{[(La - Ta)/10]} + Cd \cdot 10^{[(Ld - Td)/10]}$$

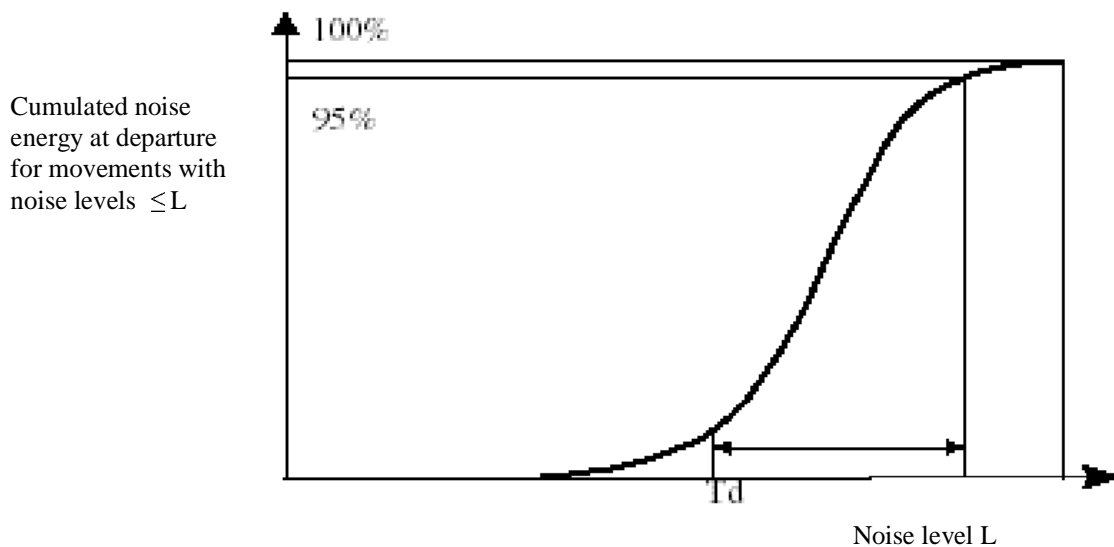
where:

$Ca$  and  $Cd$  are the unit noise charges at departures and arrivals for the considered airport.  $Ca$  and  $Cd$  can be equal to zero. They reflect the relative importance of noise emissions at arrivals and departures for the impacted population;

$La$  is the certificated noise level at approach;

$Ld = (Lf + Ll)/2$ ,  $Lf$  and  $Ll$  are the certificated noise levels at the flyover and lateral measurement points; and

$Ta$  and  $Td$  are noise thresholds at departures and at arrivals corresponding to categories of relatively quiet aircraft for the considered airport. These thresholds are fixed around 13 decibels below upper thresholds corresponding to 95 % of the noise energy emitted at the airport as indicated on the graph.



- **Modulation of noise charges**

According to the principle that charges should be based as closely as possible on underlying costs, there should be specific noise charges for financing noise mitigation programmes and other noise charges should be compensated by negative noise charges (rebates) in order to be revenue neutral.

This revenue neutrality should be achieved separately at departure and at arrival. For instance, at departure the noise charge (positive or negative) should be for the aircraft  $i$

$$C_i = C_d \cdot [ E_{d_i} - 1/N \cdot \sum E_{d_j} ]$$

where

$C_d$  is the unit charge for departure at the considered airport

$E_{d_i}$  is the relative noise energy at departure for the aircraft which is considered; and

$N$  and  $\sum E_{d_j}$  are the forecast number of departures and the forecast cumulated noise energy at departure during the year, which is considered.

$C_i$  can be positive or negative

## **IMPACT ASSESSMENT FORM**

### **THE IMPACT OF THE PROPOSAL ON BUSINESS WITH SPECIAL REFERENCE TO SMALL AND MEDIUM-SIZED ENTERPRISES( SMEs)**

#### **TITLE OF PROPOSAL**

Directive of the European Parliament and of the Council on the establishment of a Community framework for noise classification of civil subsonic aircraft for the purposes of calculating noise charges.

#### **DOCUMENT REFERENCE NUMBER**

xyy

#### **THE PROPOSAL**

1. Taking account of the principle of subsidiarity, why is Community legislation necessary in this area and what are its main aims?

Community legislation will enhance convergence, transparency and predictability in the calculation of noise charging systems. The main objective of the proposed Directive is to enhance the environmental effectiveness of noise charges levied at airport level by ensuring that common criteria based on the noise performance of aircraft are used when calculating the level of these charges for environmental purposes.

#### **THE IMPACT ON BUSINESS**

2. Who will be affected by the proposal?

– which sectors of business

mainly airports and airlines.

– which sizes of business (what is the concentration of small and medium-sized firms)

The proposal will affect small airports insofar as they apply noise charges, which is generally not the case.

The proposal will affect small airlines insofar as they operate noisy aircraft. However the European airline industry essentially consists of big companies. Small and medium sized companies only account in the order of 5% of the market.

– are there particular geographical areas of the Community where these businesses are found

no

3. What will business have to do to comply with the proposal?

Airports will have to apply the common framework for the calculation of noise charges, initially only when such charges are newly introduced or existing charges revised. After a suitable transitional period all noise charging systems will have to be based on the common framework.

4. What economic effects is the proposal likely to have?

– on employment

none

– on investment and the creation of new businesses

none, since it is globally revenue neutral at the airport level

– on the competitiveness of businesses

The proposal does not impose noise charges, it only establishes a common framework to be applied by airports levying such charges. Therefore, it does not affect competitiveness between airports.

By its very nature of being an incentive scheme, some carriers operating a relatively noisy fleet will pay proportionately more than others, but these differential charges will be applied on a non-discriminatory basis. On the other hand, air lines operating a relatively quiet fleet will pay relatively less.

5. Does the proposal contain measures to take account of the specific situation of small and medium-sized firms (reduced or different requirements etc)?

Not necessary, given the scope of the proposal

## CONSULTATION

6. List the organisations which have been consulted about the proposal and outline their main views.

A consultation document which set out i.a. the broad principles of the proposed Directive has been sent to Member States and stakeholders: airports, carriers, aeronautical manufacturers, industry in general, environmental protection groups. All parties consulted expressed support for this initiative. The same stakeholders had also the opportunity to express their views at the meetings held within the European Civil Aviation Conference (ECAC). An ECAC recommendation, which contains the same principles as the proposed Directive, was endorsed by Directors General of Civil Aviation at the 24<sup>th</sup> ECAC triennial session on 29 June 2000, after having been approved by Member States and Stakeholders in the relevant ECAC experts group. Finally the Commission gave Member States and stakeholders on 27 July 2000 another opportunity to express their views and again all parties concerned confirmed their support for this initiative.

In addition, the proposed Directive was announced in the Commission Communication on Air Transport and Environment {COM(1999)640}, which has been discussed and generally favourably received by all Community institutions.