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Noise Abatement Ordinance (NAO)

of 15 December 1986 (Status as of 1 July 2021)

The Swiss Federal Council,

on the basis of Articles 5, 12 paragraph 2, 13 paragraph 1, 16 paragraph 2, 19, 21 paragraph 2, 23, 39 paragraph 1, 40 and 45 of the Federal Act of 7 October 1983¹ on the Protection of the Environment (the Act),

ordains:

Chapter 1 General Provisions

Art. 1 Aim and scope

¹ This Ordinance is intended to protect against harmful and disturbing noise.

² It regulates:

- a. the limitation of exterior noise emissions caused by the operation of new and existing installations in accordance with Article 7 of the Act;
- b. the designation and development of building zones in areas exposed to noise;
- c. the issuing of planning permission for buildings with rooms sensitive to noise and lying in areas exposed to noise;
- d. the soundproofing against exterior and interior noise of new buildings with rooms sensitive to noise;
- e. the soundproofing against exterior noise of existing buildings with rooms sensitive to noise;
- f. the determination of the exposure to exterior noise and its rating based on exposure limit values.

³ It does not regulate:

- a. protection against noise originating from an industrial site as long as this only affects industrial buildings and dwellings within the site;
- b. protection against infra- and ultrasound.

⁴...²

Art. 2 Definitions

¹ Stationary installations are buildings, transport facilities, building facilities and other immobile equipment that generate exterior noise during operation. These include in particular roads, railway installations, aerodromes, industrial, commercial and agricultural installations, firing ranges and permanent military firing ranges and training grounds.

² New stationary installations also include stationary installations and buildings whose use has been completely altered.

³ Emission limitation measures are technical, structural or functional modifications to installations, or measures to redirect, restrict or calm the flow of traffic, or structural measures along the emission path. The purpose of the measures is to prevent or reduce the generation or propagation of exterior noise.

⁴ Improvements are emission limitation measures for existing stationary installations.

⁵ Exposure limit values include impact thresholds, planning values and alarm values. These are set according to the noise characteristics, the time of day and the sensitivity to noise of the buildings and areas to be protected.

⁶ Rooms sensitive to noise are:

- a. rooms in dwellings with the exception of kitchens without dining facilities, washrooms and storerooms;
- b. rooms in industrial buildings that are regularly occupied by persons for sustained periods of time, with the exception of those for farm animals and those with high levels of industrial noise.

Chapter 2 Vehicles, Mobile Appliances and Machines

Section 1 Emission Limitation Measures from Vehicles

Art. 3

¹ Noise emitted from motorised vehicles, aircraft, water craft and railways must be reduced as far as possible by technical and operational means, and to the extent that this is economically acceptable.

² Repealed by No I of the O of 12 April 2000, with effect from 1 May 2000 (AS 2000 1388).

² Emission limitation measures are governed by the legislation on road traffic, civil aviation, inland navigation or the railways, provided the vehicle concerned is covered by one of these categories of legislation.

³ Emission limitation measures for other vehicles is governed by the provisions on mobile appliances and machines.

Section 2

Emission Limitation Measures for Mobile Appliances and Machines

Art. 4 Principles

¹ The emissions of exterior noise from mobile appliances and machines must be reduced to the extent that:

- a. this is technically and operationally feasible and economically acceptable; and that
- b. the well-being of the affected population is not seriously impaired.

² The enforcement authorities shall order operational and structural measures, or those for proper maintenance.

³ Where it is not possible to avoid exposure to highly disturbing noise due to the operation of military equipment, machines and weapons, the enforcement authorities shall relax the requirements.

⁴ The emissions of appliances and machines that are used to operate a stationary installation are limited according to the provisions on stationary installations.

Art. 5³ Conformity assessment and marking of equipment and machines

¹ Equipment and machines may be placed on the market only following a conformity assessment and the appropriate marking.

² The Federal Department of the Environment, Transport, Energy and Communications (DETEC) shall specify:⁴

- a. the types of equipment and machines subject to the conformity assessment and marking;
- b. the requirements for preventive emission limitation measures and marking, taking into account internationally recognised standards;
- c. the documents to be submitted for the purpose of the conformity assessment;
- d. the test, measurement and calculation procedures;
- e. the subsequent controls;
- f. the recognition of foreign test results and labelling.

³ Amended by No I of the O of 23 Aug. 2006, in force since 1 Nov. 2006 (AS **2006** 3693).

⁴ Amended by No I of the O of 30 June 2010, in force since 1 Aug. 2010 (AS **2010** 3223).

Art. 6 Regulations on noise from building sites

The Federal Office for the Environment⁵ shall issue regulations covering structural and operational measures to control noise from building sites.

Chapter 3 New and Modified Stationary Installations**Art. 7** Emission limitation measures for new stationary installations

¹ Noise emissions from new stationary installations shall be limited as directed by the enforcement authorities insofar as:

- a. this is technically and operationally feasible and economically acceptable; and
- b. the noise exposure level resulting from the installation alone does not exceed the planning values.

² The enforcement authorities shall relax the requirements in cases where compliance with the planning values would place a disproportionate burden on the installation and there is an overriding public interest, particularly regarding questions of spatial planning. The impact thresholds must not, however, be exceeded.⁶

Art. 8 Emission limitation measures for modified stationary installations

¹ Where a stationary installation that already exists when this Ordinance comes into force is modified, the noise emissions from the new or modified parts of the installation must be limited as directed by the enforcement authorities as far as this is technically and operationally feasible and economically acceptable.⁷

² If the installation is significantly modified, the noise emissions from the installation as a whole must be limited at least to the extent that the impact thresholds are not exceeded.

³ Conversions, extensions and operational changes carried out by the person responsible for the installation constitute significant modifications to stationary installations if it is anticipated that the noise exposure level will rise perceptibly as a result either of the installation itself or of the increased demand on existing transport facilities. The rebuilding of an installation constitutes a significant modification irrespective of the circumstances.

⁴ If a new stationary installation is modified, Article 7 applies.⁸

⁵ The name of the administrative unit has been changed in application of Art. 16 para. 3 of the Publication Ordinance of 17 Nov. 2004 (AS **2004** 4937). This change has been made throughout the text.

⁶ Amended by No I of the O of 16 June 1997, in force since 1 Aug. 1997 (AS **1997** 1588).

⁷ Amended by No I of the O of 30 June 2010, in force since 1 Aug. 2010 (AS **2010** 3223).

⁸ Amended by No I of the O of 16 June 1997, in force since 1 Aug. 1997 (AS **1997** 1588).

Art. 9 Increased demand on transport facilities

The operation of new or significantly modified stationary installations must not lead to a situation in which:

- a. owing to the increased demand made on a transport facility, the impact thresholds are exceeded; or
- b. owing to the increased demand made on a transport facility in need of remediation, the noise exposure level rises perceptibly.

Art. 10 Soundproofing measures in existing buildings

¹ If the requirements specified in Articles 7 paragraph 2 and 8 paragraph 2 or in Article 9 are not fulfilled by new or significantly modified public or licensed stationary installations, the enforcement authorities shall require the owners of existing buildings exposed to noise to soundproof the windows of rooms sensitive to noise in accordance with Annex 1.

² With the approval of the enforcement authorities, building owners may carry out other structural soundproofing measures provided these reduce the noise within the rooms to the same extent.

³ Soundproofing measures need not be taken if:

- a. no perceptible reduction of the noise level in the building is to be expected;
- b. they conflict with the overriding interest of preserving local character or monuments;
- c. the building is due to be demolished within three years of putting the new or modified installation into service, or the rooms concerned will be converted to purposes not sensitive to noise within this period.

Art. 11 Costs

¹ The person responsible for the new or significantly modified installation bears the costs of limiting the emission it causes.

² If the building owner is required to take soundproofing measures according to Article 10 paragraph 1, the person responsible for the installation also bears the customary local costs proven to be due for:

- a. engineering and supervision of works;
- b. soundproofing of the windows in accordance with Annex 1 and the resulting necessary adaptations;
- c. the financing if the person responsible has failed to contribute despite being requested to do so by the building owner;
- d. any fees due.

³ If the building owner is required to take soundproofing measures according to Article 10 paragraph 2, the person responsible for the installation bears the custom-