II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 21 April 1983

amending Directive 80/51/EEC on the limitation of noise emissions from subsonic aircraft

(83/206/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84 (2) thereof,

Having regard to the draft Directive submitted by the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas changes made by the International Civil Aviation Organization to Annex 16 of the Convention on international civil aviation, which specifies aircraft noise emission standards, and other action in the international area on aircraft noise have made it necessary to make certain amendments to Council Directive 80/51/EEC of 20 December 1979 on the limitation of noise emissions from subsonic aircraft (3).

Whereas it is necessary to clarify the intention of Articles 1 and 5 of Council Directive 80/51/EEC;

Whereas civil subsonic jet aeroplanes which are not registered in the territories of Member States and which do not comply with the relevant international standards should be prevented from operating in those territories after 31 December 1987, subject to possible temporary exemptions until 31 December 1989;

Whereas it would not seem necessary to extend this ban to Greenland in view of its geographical location and sparse population;

Whereas an exception to the rules on noise certification should be made for a small number of specially designed aircraft used for transport for the aeronautical industry in the Community,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 80/51/EEC shall be amended as follows:

1. Article 1 shall be replaced by the following:

'*Article 1*

Each Member State shall ensure that any civil subsonic jet or propellor-driven aeroplane registered in its territory and falling within one of the categories set out in Volume I (Aircraft Noise) of Annex 16 to the Convention on international civil aviation, as applicable from 26 November 1981, in accordance with Amendment 5, (hereinafter referred to as Annex 16/5) may not be used in the territory of Member States unless it has granted noise certification on the basis of satisfactory evidence that the aeroplane complies with requirements which are at least equal to the applicable standards specified in Part II, Chapters 2, 3, 5 or 6 of Volume I of Annex 16/5.'

(1) OJ No C 334, 20. 12. 1982, p. 137.
(2) OJ No C 348, 31. 12. 1981, p. 3.
(3) OJ No L 18, 24. 1. 1980, p. 26.