



European Aviation Safety Agency

Jules Kneepkens • Rulemaking Director

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Mr Joseph RADA
Director General
Civil Aviation Authority Czch Republic
Ruzyne Airport
CZ-160 08 Praha 1
CZECH REPUBLIC

Circular letter to all EASA Member State NAAs

Subject: Obligation to hold a noise certificate (scope of Art. 6 Regulation (EC) No 216/2008)

Dear Mr RADA,

Aircraft within the scope of Regulation (EC) No 216/2008 have to comply with the environmental protection requirements contained in ICAO Annex 16. This follows from Article 6 of the Regulation.

Several NAAs asked which aircraft are obliged to hold a noise certificate (ref: Part 21, Form 45). With this letter the Agency provides its position as follows:

- a) For aircraft, for which no noise requirements are established in ICAO Annex 16, Volume I, no noise certification requirements are applicable at all; in consequence, no noise certificate (Form 45) shall be issued.
- b) For aircraft, for which noise requirements are applicable according to ICAO Annex 16, Volume I, only these Annex 16 noise certification requirements are applicable; such aircraft must comply with these requirements and shall have a noise certificate (Form 45); such noise certificate shall be issued by the Member States in accordance with Art. 2 (1) of Regulation (EC) No 1702/2003 and Subpart I of the Annex (Part 21) to this Regulation.

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This can be illustrated with the following examples:

1. NAAs shall not issue noise certificates (Form 45) to airships, since ICAO Annex 16, Volume I does not establish noise requirements for airships.
2. For helicopters, ICAO Annex 16, Volume I does establish noise requirements. However, these apply only to helicopters for which the application for the Type Certificate was submitted on or after 1 January 1985. Consequently, only those helicopters are obliged to hold a noise certificate (Form 45). For older helicopters, NAAs shall not issue a noise certificate (Form 45).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Kneepkens', enclosed within a large, loopy oval shape.

J. KNEEPKENS

Copy.: Dr. N. Lohl, EASA Certification Director
F. Banal, EASA Approvals and Standardisation Director