

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5325 GIBRALTAR Monday 13th July 2026

LEGAL NOTICE NO.181 OF 2026

TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026

ENVIRONMENTAL (ASSESSMENT AND MANAGEMENT OF NOISE) (AMENDMENT) REGULATIONS 2026

In exercise of the powers conferred on it by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and all other enabling powers, and in order to make provision for the purposes of the implementation of Article 219(4) of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community of the one part and the United Kingdom of Great Britain and Northern Ireland in respect of Gibraltar on the assessment and management of environmental noise, the Government has made the following Regulations.

PART 1 PRELIMINARY

Title.

1. These Regulations may be cited as the Environmental (Assessment and Management of Noise) (Amendment) Regulations 2026.

Commencement.

2. These Regulations come into operation on the Implementation Date.

Interpretation.

3. In these Regulations-

"the Principal Regulations" means the Environmental (Assessment and Management of Noise) Regulations 2006;

"the Directive" means Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise, as amended by Commission Delegated Directive (EU) 2021/1226 and Commission Directive (EU) 2020/367;

"Implementation Date" has the meaning given in section 3 of the Treaty on Gibraltar and the European Union Act 2026.

PART 2
AMENDMENTS TO THE PRINCIPAL REGULATIONS

Amendment of regulation 2.

4.(1) Regulation 2 of the Principal Regulations (Interpretation) is amended as follows.

(2) For the definition of "Directive", substitute—

"the Directive" means Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise, as amended by Commission Directive (EU) 2015/996, Commission Directive (EU) 2020/367 and Commission Delegated Directive (EU) 2021/1226 and as amended from time to time;

(3) After the definition of "assessment", insert—

"burden of disease" means a quantitative assessment of the health impacts of environmental noise, expressed in disability-adjusted life years or an equivalent metric;

(4) After the definition of "calendar year", insert—

"common noise assessment methods" means the methods set out in Annex II to the Directive.

(5) After the definition of "strategic noise map" insert—

"special insulation against noise" means special insulation of a building against one or more types of environmental noise, combined with such ventilation or air-conditioning facilities that high values of insulation against environmental noise can be maintained.

(6) After the definition of "Supplementary noise indicator" insert—

"quiet area in open country" means an area, designated by the Competent Authority, that is undisturbed by noise from traffic, industry or recreational activities;

"quiet facade" means the facade of a dwelling at which the value of Lden four metres above the ground and two metres in front of the facade, for the noise emitted from a specific source, is more than 20 dB lower than at the facade having the highest value of Lden;

Amendment of regulation 7.

5.(1) For regulation 7(1) of the Principal Regulations, substitute—

"(1) The values of Lden and Lnight shall be determined by means of the common noise assessment methods."

(2) Regulation 7(1A) of the Principal Regulations is repealed.

Amendment of regulation 8.

6.(1) In regulation 8 of the Principal Regulations, after paragraph (3) insert-

"(3A) The Competent Authority shall ensure that, by twelve months after the commencement of this regulation, and thereafter at least every five years, strategic noise maps are prepared using the common noise assessment methods."

(2) At the end of regulation 8(5) of the Principal Regulations, after "preparation" insert "using the common noise assessment methods."

Amendment of regulation 9.

7.(1) In regulation 9 of the Principal Regulations, after paragraph (1) insert-

"(1A) The Competent Authority shall ensure that action plans are reviewed, and where necessary revised, by twelve months after the commencement of this regulation and thereafter at least every five years, having regard to the results of the most recent strategic noise mapping prepared using the common noise assessment methods.

(1B) Action plans shall aim to protect quiet areas in open country against an increase in noise."

(2) After regulation 9(4) of the Principal Regulations, insert-

"(4A) Action plans shall include-

- (a) an assessment of the estimated number of people exposed to noise levels above the reporting thresholds specified in Schedule 2; and
- (b) an estimate of the burden of disease attributable to environmental noise, where data is available."

Amendment of regulation 10.

8. In regulation 10 of the Principal Regulations, after paragraph (2) insert-

"(2A) The Competent Authority shall make available to the public information on the burden of disease attributable to environmental noise, together with the strategic noise maps and action plans.

(2B) The information referred to in paragraphs (1), (2) and (2A) shall be published by the Competent Authority by electronic means."

Repeal of regulation 11.

9. Regulation 11 is repealed.

Substitution of Schedule 2.

10. For Schedule 2 to the Principal Regulations, substitute-

"SCHEDULE 2

(Regulation 7)

ASSESSMENT METHODS FOR HARMFUL EFFECTS

1. The assessment of harmful effects of environmental noise shall use the dose-effect relations for the following health endpoints-
 - (a) ischaemic heart disease (IHD) attributable to long-term exposure to road traffic noise, assessed by reference to the Lden indicator and using the relative risk function specified in Annex III to the Directive;
 - (b) high annoyance (HA) from road traffic noise, assessed by reference to the Lden indicator; and
 - (c) high sleep disturbance (HSD) from road traffic noise, assessed by reference to the Lnight indicator.
2. The percentage of highly annoyed persons (%HA) and the percentage of highly sleep-disturbed persons (%HSD) shall be calculated using the formulas set out in Annex III to the Directive as replaced by Commission Directive (EU) 2020/367.
3. The Competent Authority shall calculate the total number of persons affected and, where appropriate, the attributable number of cases of harmful effects.
4. Specific dose-effect relations may be applied where available for-
 - (a) dwellings with special insulation against noise;
 - (b) dwellings with a quiet facade;
 - (c) different climates or cultures;
 - (d) vulnerable groups of the population;
 - (e) tonal noise; or
 - (f) impulsive noise.

5. Exposure shall be assessed independently for each noise source and harmful effect."

Repeal of Schedule 5.

11. Schedule 5 is repealed.

**PART 3
ENFORCEMENT**

Compliance directions.

12.(1) Where the Minister considers that the Competent Authority has failed, or is failing, to discharge any obligation imposed on it by the Principal Regulations as amended by these Regulations, the Minister may give a direction (a "compliance direction") to the Competent Authority requiring it to take such steps as the Minister considers necessary to secure compliance within such period as may be specified in the direction.

(2) A compliance direction under subregulation (1) shall be in writing and shall state the reasons for the direction.

(3) The Competent Authority shall comply with a compliance direction given under subregulation (1).

(4) Where the Competent Authority fails to comply with a compliance direction within the period specified, the Minister may take such steps as the Minister considers necessary to secure compliance, and may recover from the Competent Authority any reasonable costs incurred in doing so.

Designation of quiet areas.

13.(1) The Competent Authority may, by notice in the Gazette, designate any area of Gibraltar as a quiet area in open country for the purposes of the Principal Regulations.

(2) A designation under subregulation (1) shall be taken into account in the preparation, review and revision of action plans under regulation 9 of the Principal Regulations.

(3) The Competent Authority may, by notice in the Gazette, vary or revoke a designation made under subregulation (1).

**PART 4
TRANSITIONAL AND SAVING PROVISIONS**

Transitional.

14. Strategic noise maps and action plans prepared before these Regulations come into operation shall continue in effect until superseded by maps and plans prepared under the Principal Regulations as amended by these Regulations.

Existing data.

15. Where the Competent Authority holds noise data collected using methods other than the common noise assessment methods, such data may continue to be used for interim purposes until the next strategic noise mapping cycle following the commencement of these Regulations.

Dated: 13th July 2026.

PROF J CORTES,
Minister with responsibility for the Environment,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Environmental (Assessment and Management of Noise) Regulations 2006 which transposed Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise.

The amendments are made in exercise of the powers conferred by section 13 of the Treaty on Gibraltar and the European Union Act 2026, for the purposes of implementing the obligation in Article 219(4) of the Agreement in respect of Gibraltar to uphold environmental and climate levels of protection that are equivalent to the levels in place in the European Union.

The principal changes effected by these Regulations are:

- (a) updating the definition of the Directive and inserting new definitions;
- (b) requiring the use of the CNOSSOS-EU common noise assessment methods for the determination of noise indicators (Lden and Lnight);
- (c) requiring the assessment of harmful effects using updated dose-effect relations, including quantification of the burden of disease from road traffic noise;
- (d) updating strategic noise mapping and action plan requirements to ensure five-yearly review cycles using the common noise assessment methods, and requiring action plans to aim to protect quiet areas in open country against an increase in noise;
- (e) extending data reporting to 5 dB ranges from Lden 55 dB upwards and Lnight 50 dB upwards, with provision for reporting on special insulation and quiet facades where information is available;
- (f) substituting Schedule 2 to reflect the updated Annex III dose-effect relations; and
- (h) repealing the obsolete assessment position provision in regulation 7(1A) of the Principal Regulations.

Part 3 establishes a compliance direction mechanism to enable the Minister to direct the Competent Authority to discharge its obligations under the Principal Regulations, and confers a power on the Competent Authority to designate quiet areas in open country.

Part 4 makes transitional provision for the continuation of existing strategic noise maps and action plans, and for the interim use of noise data collected using methods other than the common noise assessment methods.

