



Recommendation of the Council on Noise Abatement Policies

**OECD Legal
Instruments**

This document is published under the responsibility of the Secretary-General of the OECD. It reproduces an OECD Legal Instrument and may contain additional material. The opinions expressed and arguments employed in the additional material do not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and any map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

For access to the official and up-to-date texts of OECD Legal Instruments, as well as other related information, please consult the Compendium of OECD Legal Instruments at <http://legalinstruments.oecd.org>.

Please cite this document as:

OECD, *Recommendation of the Council on Noise Abatement Policies*, OECD/LEGAL/0163

Series: OECD Legal Instruments

© OECD 2018

This document is provided free of charge. It may be reproduced and distributed free of charge without requiring any further permissions, as long as it is not altered in any way. It may not be sold.

This document is available in the two OECD official languages (English and French). It may be translated into other languages, as long as the translation is labelled "unofficial translation" and includes the following disclaimer: *"This translation has been prepared by [NAME OF TRANSLATION AUTHOR] for informational purpose only and its accuracy cannot be guaranteed by the OECD. The only official versions are the English and French texts available on the OECD website <http://legalinstruments.oecd.org>"*

Date(s)

Adopted on 03/07/1978

Background Information

The Recommendation on Noise Abatement Policies was adopted by the OECD Council on 3 July 1978 on the proposal of the Environment Committee (now called Environment Policy Committee). The Recommendation advises Adherents to develop comprehensive noise abatement programmes, emission standards and noise-level labels for products, to introduce economic incentives and land-use planning policies that incorporate noise abatement requirements, and to conduct public information campaigns.

THE COUNCIL,

HAVING REGARD to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

HAVING REGARD to the Recommendation of the Council of 14 November 1974 on Noise Prevention and Abatement [C(74)217];

CONSIDERING that noise is still one of the most important sources of environmental nuisance and a hazard to human health and welfare and that it is increasing in time and in space;

CONSIDERING the need for comprehensive noise abatement policies and for stringent enforcement of noise regulations;

CONSIDERING that the Organisation will convene a Conference on Noise Abatement Policies in 1979;

HAVING REGARD to the Report by the Environment Committee on Noise Abatement Policies [ENV(78)1];

On the proposal of the Environment Committee;

I. RECOMMENDS that Member countries:

1. Develop comprehensive noise abatement programmes and co-ordinate existing regulations and actions. In particular Member countries should develop comprehensive laws to cover all noise sources and means of action.
2. In their noise control policies give utmost priority to abatement at source through emission standards on noisy products and activities.
3. Strengthen their noise abatement policies by adopting a progressive approach using dynamic standards (i.e. a progressive lowering of noise limits over time according to a predetermined and announced schedule).
4. Support this dynamic approach to noise abatement by using, as appropriate, economic incentives. These incentives could consist of noise related charges for certain noise producing equipment. When this is not in conflict with the national fiscal system, the resulting proceeds should be devoted to the financing and promotion of noise abatement measures.
5. Encourage the production and use of quieter equipment by restricting the use of the noisier ones. Inducements such as exemptions or liberalisation of times of use might be envisaged for any equipment considered exceptionally quiet.
6. Consider the provision for compensation procedures in cases of damages resulting from unacceptable noise levels due to new facilities or from a significant increase in the use of existing facilities as a result of their modification. Such compensation should only be considered when a severe noise nuisance still prevails although all practicable noise abatement measures have been taken.
7. Ensure that land-use planning, including transport planning, incorporate noise abatement requirements and that noise abatement be considered at the outset of public and private projects. Ensure that no new noise sensitive activities (such as new residences) are placed in areas that have high noise levels; include noise abatement measures when rehabilitating housing in urban areas with high noise levels.
8. Combine noise insulation of buildings with thermal insulation required for energy conservation.
9. Introduce measures, which are often at low cost and can be rapidly implemented, as part of a comprehensive noise abatement strategy and as a complement to regulatory procedures, such as:

noise abatement campaigns, information, education, product labels showing the level of noise the product will produce, traffic management, periodic evaluations of the effectiveness of enforcement programmes.

10. Encourage the harmonization of noise measurement methods and test procedures designed to protect the environment and to establish a close link between procedures for measuring noise emission and immission.

II. INSTRUCTS the Environment Committee:

- i) To report by 31 December 1980 to the Council the actions taken pursuant to the above Recommendation and the conclusions reached by a Conference on Noise Abatement Policies to be convened by the Organisation in 1979;
- ii) To provide for an exchange of information concerning national noise control programmes when important new developments take place in Member countries.

Adherents*

OECD Members

Australia
Austria
Belgium
Canada
Chile
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Ireland
Israel
Italy
Japan
Korea
Latvia
Luxembourg
Mexico
Netherlands
New Zealand
Norway
Poland
Portugal
Slovak Republic
Slovenia
Spain
Sweden
Switzerland
Turkey
United Kingdom
United States

Non-Members

* Additional information and statements are available in the Compendium of OECD Legal Instruments:
<http://legalinstruments.oecd.org>

About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

OECD Legal Instruments

Since the creation of the OECD in 1961, around 450 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions:** OECD legal instruments which are legally binding on all Members except those which abstain at the time of adoption. While they are not international treaties, they entail the same kind of legal obligations. Adherents are obliged to implement Decisions and must take the measures necessary for such implementation.
- **Recommendations:** OECD legal instruments which are not legally binding but practice accords them great moral force as representing the political will of Adherents. There is an expectation that Adherents will do their utmost to fully implement a Recommendation. Thus, Members which do not intend to do so usually abstain when a Recommendation is adopted, although this is not required in legal terms.
- **Declarations:** OECD legal instruments which are prepared within the Organisation, generally within a subsidiary body. They usually set general principles or long-term goals, have a solemn character and are usually adopted at Ministerial meetings of the Council or of committees of the Organisation.
- **International Agreements:** OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several ad hoc substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.