

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2003 No. 30.

THE NATIONAL ENVIRONMENT (NOISE STANDARDS AND
CONTROL) REGULATIONS, 2003.

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STATUTORY INSTRUMENTS

2003 No. 30.

The National Environment (Noise Standards and Control) Regulations, 2003.

(Under sections 29 and 108 of the National Environment Statute, 1995, Statute No. 4 of 1995)

IN EXERCISE of the powers conferred on the Minister responsible for the National Environment Management Statute 1995, by sections 29 and 108, and on the recommendation of the Policy Committee on the Environment and the Board, these Regulations are made this 21st day of March, 2003.

PART I—PRELIMINARY.

1. These Regulations may be cited as the National Environment (Noise Standards and Control) Regulations, 2003. Citation

2. (1) In these Regulations, unless the context otherwise requires— Inter-pretatio

“annoyance” means a feeling of displeasure evoked by noise, or any feeling of resentment, discomfort or irritation occurring when noise intrudes into another person’s thoughts or mood, or interferes with any activity being done by the affected person;

“Authority” means the National Environment Management Authority established by section 5 of the Statute and includes a person delegated to act on its behalf;

“court” means a court of competent jurisdiction;

“construction” includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, mowing, land-clearing, earth-moving, grading, excavating, laying of pipes and conduits whether above or below ground level, street and

highway building, concreting, installation and alteration of equipment, and the structural installation of construction components and materials in any form or for any purpose that includes any work in connection with the construction;

“dBA” means the unit in decibels on the A scale for quiet sounds;

“decibels” means a dimensionless unit used in comparison of the magnitude of sound pressures or powers;

“District Environment Committee” means a District Environment Committee established under the National Environment Statute, 1995;

Statute No.
4 of 1995.

“disturbance” means any act or instance of interrupting the rest, calm, attention or quiet of another person;

“Environmental Inspector” means an Environmental Inspector appointed under the National Environment Statute 1995;

Statute No.
4 of 1995.

“Executive Director” means the Executive Director of the Authority, or a person designated to act on his or her behalf;

“improvement notice” means a notice issued under regulation 16;

“impulsive noise” means a noise consisting of one or more bursts of sound energy of a duration of less than one second;

“intermittent noise” means a noise whose level suddenly drops to several times the level of the background noise;

“lead agency” means any agency to which the Authority delegates its functions under section 7 (2) of the Statute;

“licence” means a licence to emit noise issued under regulation 12;

“licensee” means a person issued a licence under regulation 12;

“local council” means local government councils and administrative unit councils established under the Local Governments Act, 1997;

Act No. 1
of 1997.

“Local Environment Committee” means a Local Environment Committee established under the National Environment Statute, 1995;

Statute No.
4 of 1995.

“loudspeaker” means any electro-magnetic or electrical or mechanical device capable of converting electrical signals or energy into sound, and includes an amplifier, microphone, gramophone or similar instrument;

“musical instrument” means any article or thing adapted for use in making or reproducing musical sound and includes a radio receiver, television receiver, drum, keyboard, wind instrument, guitar, steel piano, cassette or compact disk player;

“microphone” means a transducer that converts an acoustic disturbance into an electrical output signal that is proportional to the acoustic disturbance;

“noise” means any unwanted and annoying sound that is intrinsically objectionable to human beings or which can have or is likely to have an adverse effect on human health or the environment;

“noise pollution” means the release of uncontrolled noise that is likely to cause danger to human health, or damage to the environment;

“occupier” in relation to any premises or facility, includes a tenant, agent, manager, foreman, or other person acting or apparently acting in the general management or control of the premises, or of any plant or facility or machinery;

“permissible noise levels” means the levels of noise prescribed by regulation 6;

“person responsible” in relation to the emission of noise, means the person to whose act, default or sufferance the noise is attributable;

“place of entertainment” means a building or other place where activities of amusement, entertaining, playing of music, dancing, performing of shows takes place;

“point of reception” means a point on any premises where sound or vibration originating from other premises or areas is received;

“pollution” means any direct or indirect alteration of the physical, thermal, chemical, biological or radioactive properties of any part of the environment by discharging or emitting noise so as to affect any beneficial use adversely, to cause a condition which is hazardous or potentially hazardous to public health, safety, or welfare, or to animals, birds, wildlife, fish or aquatic life, or to plants, or to cause a contravention of any condition, limitation, or restriction for which a licence is required under these Regulations;

“sound” means a fluctuation in pressure, particle displacement, or particle velocity propagated in any medium, or the auditory sensation that may be produced;

“Statute” means the National Environment Statute, 1995;

“street” means a highway, road or path to which the public have access, and includes a bridge over which a street passes, and a privately owned road or path to which the public is granted access, whether generally or conditionally;

“vehicle” includes a machine or implement of any kind drawn or propelled along a street, whether by animal, mechanical, electrical or other motive power.

(2) Where more than one person is responsible for noise, these Regulations apply to each of those persons, whether or not the noise for which any one of them is responsible would itself amount to noise pollution or would result in a level of noise justifying action under these Regulations.

3. The purpose of these Regulations is to ensure the maintenance of a healthy environment for all people in Uganda, the tranquility of their surroundings and their psychological well-being by regulating noise levels, and generally, to elevate the standard of living of the people by— Purpose.

(a) prescribing the maximum permissible noise levels from a facility or activity to which a person may be exposed;

(b) providing for the control of noise and for mitigating measures for the reduction of noise; and

(c) generally for giving effect to the provisions of section 29 of the Statute.

4. (1) A local council may, in accordance with the Local Governments Act, 1997, make laws regulating noise and vibration pollution. Functions and powers of local councils. Act No. 1 of 1997.

(2) Laws made by a local council under subregulation (1) shall not be inconsistent with the National Environment Statute, 1995 or with these Regulations. Statute No. 4 of 1995.

5. (1) A District Environment Committee-
- (a) is responsible for co-ordinating, monitoring and advising the District Council on compliance with, and enforcement of any law made in terms of regulation 4; and
 - (b) shall determine the times and places when noise may be emitted in its area of jurisdiction.
- (2) A Local Environment Committee shall—
- (a) enforce and ensure compliance with these Regulations and any other law made in terms of regulation 4;
 - (b) investigate complaints relating to noise and cause abatement of noise;
 - (c) prohibit the continuation of undesirable activities which cause noise in excess of the permissible levels; and
 - (d) exempt certain activities, including emergency situations and traditional community activities, from the application of these Regulations.

PART II—PERMISSIBLE NOISE LEVELS.

6 (1) The maximum noise levels from a facility in the general environment specified in Column 1 of Part I of the First Schedule to which a person may be exposed shall not exceed the level specified in Column 2 of that Part for the time specified in that Part.

(2) The maximum noise levels of continuous or intermittent noise from a factory or a workshop, to which a person may be exposed shall not exceed the level specified in Column 1 of Part II of the First Schedule, for the time specified in Columns 2 and 3 of that Part.

(3) The maximum noise level from impact or impulsive noise to which a person may be exposed shall be as specified in column 1 of Part III of the First Schedule for the permitted number of impulses or impacts emitted per day specified in Column 2 of that Part.

(4) The maximum noise level from a construction site to which a person in a facility specified in Column 1 of Part IV of the First Schedule may be exposed, shall not exceed the level specified in Column 2 during the time specified in that Part.

(5) The maximum noise level from a public announcement system or address system or device to which a person in the Noise Control Zone specified in Column 1 of Part V of the First Schedule may be exposed, shall not exceed the level specified in Column 2 during the time specified in that Part.

(6) The maximum noise level from a place of entertainment or establishment to which a person in the Noise Control Zone specified in Column 1 of Part VI of the First Schedule may be exposed, shall not exceed the level specified in Column 2 during the time specified in that Part.

(7) The maximum noise level from a place or area of worship to which a person in the Noise Control Zone specified in Column 1 of Part VII of the First Schedule may be exposed shall not exceed the level specified in Column 2 during the time specified in that Part.

(8) The maximum noise level from an accelerating vehicle to which a person may be exposed in the category specified in Column 1 of Part VIII of the First Schedule shall not exceed the level specified in Column 2 of that Part.

(9) The maximum noise level from a quarry or mine to which a person in the facility specified in Column 1 of Part IX of the First Schedule may be exposed shall not exceed the level specified in Column 2 of that Part.

Noise in excess of permissible levels.

7. (1) Subject to these Regulations, no person shall, for an activity specified in regulation 6, emit noise in excess of the permissible noise level, unless permitted by a licence issued under these Regulations.

(2) Any person who contravenes subregulation (1) commits an offence.

PART III—CONTROL AND MITIGATION OF NOISE.

Duty to control noise.

8. (1) It is the duty of the owner of machinery or the owner or occupier of a facility or premises, to use the best practicable means to ensure that the emission of noise from that machinery, facility or premises does not exceed the permissible noise levels.

(2) The owner of machinery, or the owner or occupier of an industry or establishment shall install, at the premises, sound level meters for the measurement and monitoring of sound from the industry or establishment to ensure that the noise emitted does not exceed the permissible noise levels.

(3) The owner of machinery, or the owner or occupier of a facility who contravenes this regulation, commits an offence.

Prohibition of generation of noise by place and time.

9. (1) No person shall emit or cause to be emitted, or permit the emission of noise resulting from any act specified in subregulation (2) if that noise is clearly audible at a point of reception or in the neighbourhood for more than two minutes or is within the prohibited time in a residential area or Noise Control Zone as determined by the local council under regulation 5.

(2) The acts referred to in subregulation (1) are—

(a) yelling, laughing, clapping, shouting, hooting, pounding, whistling and singing;

(b) selling or advertising by shouting or outcry or amplified sound;

- (c)* operation of any equipment in connection with construction;
- (d)* detonation of fireworks or explosive devices not used in construction;
- (e)* operating any auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sound by electronic means; and
- (f)* operating or playing a radio or musical instrument or any electronic device or group of connected devices incorporating one or more loudspeakers, transducers or other electro-mechanism, which is intended for the production, reproduction or amplification of sound.

(3) Notwithstanding subregulation (1), a local council may permit the operation of an electronic device or loudspeakers or the emission of noise for purposes of creating public awareness, demonstration, religious assembly, political debate, cinematography, musical or other theatrical entertainment, beauty competition, handicraft show, fair, circus, private dance, party, lecture or public hearing.

(4) Subregulation (1) does not apply to—

- (a)* noise caused by the operation of a loudspeaker or siren for fire brigade, ambulance or police purposes;
- (b)* noise caused by emergency measures undertaken to safeguard health, safety or welfare of the people;
- (c)* noise caused, or continuance of noise caused by a person as a result of temporary or accidental cause which could not have been prevented by the exercise of due diligence and care on the part of that person;

- (d) noise caused by the horn of a vehicle for the purpose of giving sufficient warning of the approach or position of the vehicle;
- (e) noise caused at or by an educational class or recreation in or around a school, college, university or other educational institution;
- (f) noise caused at or by athletics or sports;
- (g) noise caused at a cultural activity or cultural show, funeral service or rite held between the hours of 6.00 a.m. and 11.00 p. m. of the same day in any area;
- (h) noise caused at a marriage ceremony or wedding celebration or ritual between the hours of 8.00 a.m. and 11.00 p.m. of the same day; or
- (i) noise caused during a period, or by such a cause or for a purpose as the Executive Director may, by notice, specify.

(5) For purposes of this regulation, a residential or Noise Control Zone means a geographical area that encompasses hospitals, schools, residential houses and other institutions that require special considerations for noise control.

(6) A person who contravenes this regulation commits an offence.

Noise in streets.
Statute No. 13 of 1994

10. Subject to these Regulations, and except where permitted in accordance with the Police Statute 1994, a loudspeaker shall not be operated in a street between the hours of 11.00 p.m. and 7.00 a.m. the following day, for any purpose.

Noise Control Zones

11. (1) The Executive Director may, in consultation with a local council, by notice in the *Gazette*, designate any area as a Noise Control Zone for the purpose of controlling the emission of noise in that area.

(2) A notice issued under subregulation (1) shall describe and delimit the area to which it applies, including the radius of the Noise Control Zone, and shall define the period and time of the day during which persons are subject to control, or a particular building which is subject to control.

(3) Where the area in respect of which a Noise Control Zone notice is issued is within a specified radius of any specified building, the notice shall describe and delimit the area by reference to that area, building and radius.

(4) A person who fails to comply with a notice issued under this regulation commits an offence.

PART IV—LICENCE FOR NOISE IN EXCESS OF PERMISSIBLE NOISE LEVELS.

12. (1) An owner or occupier of premises whose works or activities are likely to emit noise in excess of the permissible noise levels shall apply to the Executive Director in the form prescribed in Part I of the Second Schedule, for a licence to emit noise in excess of the permissible levels.

Application
for a
licence.

(2) The Executive Director, on receiving an application under subregulation (1), may issue the occupier or owner of the premises with a licence to emit noise in excess of the permissible levels in the form prescribed in Part II of the Second Schedule, on such terms and conditions as may be contained in the licence.

(3) A licence shall contain requirements relating to the manner in which the works or activities are to be carried out and may, in particular specify—

(a) the plant or machinery to be used;

(b) the hours during which the works or activities may be carried out;

- (c) the level of noise which may be emitted in excess of the permissible noise levels;
- (d) the works or activities and the method by which they are to be carried out; and
- (e) the steps proposed to be taken to minimize noise resulting from the works or activities.

(4) In issuing a licence, the Executive Director shall have regard to—

- (a) the need for ensuring that the best practicable means are employed to minimize noise;
- (b) the desirability, in the interest of a licensee, of other methods or plant or machinery which would be substantially as effective in minimizing noise and which are more acceptable; and
- (c) the need to protect any person in the locality in which the premises in question are situated, from the effects of the noise.

Duty to
comply with
licence.

13. (1) Where the works or activities to which the licence relates are carried out by a person other than the licensee, it is the duty of the licensee to take all steps to ensure that the licence, and any conditions specified in it are complied with by the person carrying out the works or activities.

(2) A person who carries out works or activities, or permits works or activities to be carried out without a licence, or contravenes any requirement or condition of a licence commits an offence.

Revocation
of licence.

14. The Executive Director may, at any time and after giving notice of seven days to the licensee, revoke a licence if he or she is satisfied that the conditions of the licence have not been complied with, or that the continued emission of noise in excess of the permissible noise levels is likely to be injurious to the residents in the area, or to the environment.

PART V—ENFORCEMENT.

15. (1) Any person may lodge a complaint with the Executive Director or a local council on the grounds that he or she is aggrieved by noise being emitted, or likely to be emitted, in contravention of these Regulations.

General
action for
noise.

(2) Any person or group of persons is entitled to bring an action in a court to stop, prevent or control the emission of noise from any source or place.

(3) In lodging a complaint under subregulation (1) or an action under subregulation (2) it is not necessary for the complainant to show or prove personal loss or injury or discomfort caused by the emission of the alleged noise.

(4) On receiving a complaint under subregulation (1), the Executive Director or local council shall take all reasonable steps to ensure that the noise is abated or controlled, and that these Regulations are complied with.

(5) The magistrate's court is the court of first instance for bringing an action for the control of noise under subregulation (2).

16. (1) Where an Environmental Inspector has reasonable cause to believe that any person is emitting or is likely to emit noise in any area in excess of the maximum permissible noise levels, or to cause or likely to cause annoyance, the Environmental Inspector may serve an improvement notice on that person in the form prescribed in the Third Schedule, ordering all or any of the following—

Noise
control
orders.

(a) the stopping of the noise or prevention or discontinuance of any annoyance, or prohibiting or restricting its occurrence or reoccurrence;

(b) compliance with the permissible noise levels;

- (c) the reduction of the level of noise emanating from the premises to a level as may be specified in the notice;
- (d) requiring the carrying out of an environmental audit;
- (e) compelling a local council to take measures to prevent, discontinue or stop the emission of the noise;
- (f) the prevention of any subsequent increase in the level of noise emanating from the premises or area;
- (g) issue such directions intended to contribute to the reduction of emission of excessive noise from or within the vicinity of a specified area;
- (h) the execution of such works, and the taking of such steps, as may be specified in the notice; or
- (i) carrying out of any other order as may be issued.

(2) Notwithstanding the other provisions of these Regulations, where it appears to the Environmental Inspector that the level of noise emanating from any premises or area is not acceptable or is causing a public nuisance, the inspector may issue an improvement notice, for the benefit of the public.

(3) An improvement notice issued under subregulation (1) or (2) shall specify the period within which the requirements of the notice are to be complied with.

(4) The improvement notice shall be served on the person responsible or alleged to cause or likely to cause the noise pollution or annoyance or, if that person cannot be found, or the noise or annoyance has not yet occurred, on the owner or occupier of the premises from which the noise is emitted or is likely to be emitted.

(5) A person on whom an improvement notice is served under this regulation who contravenes or fails to carry out any requirements of the improvement notice commits an offence.

(6) The failure to comply with the conditions in an improvement notice within the period specified in the notice is *prima facie* evidence of the commission of an offence.

17. (1) An Environmental Inspector, the Executive Director or a member of a local council may seize, impound or confiscate any property, tool, machinery or other instrument which is likely to, or has caused the emission of noise, if, in his or her opinion the confiscation would cause tranquillity in the area.

Power to
confiscate
machinery.

(2) The Executive Director, an Environmental Inspector or a member of a local council may remove from the source of the noise, or render inoperable by the removal of any part from, or lock or seal or close so as to make unusable, any instrument, appliance, vehicle, or machine that is producing or contributing to the noise.

(3) The owner of any thing seized, impounded or confiscated under this regulation is responsible for the costs incurred in the confiscation.

18. (1) Where any property, tool, machinery or other instrument has been seized or impounded or confiscated under regulation 17, the owner or occupier, or person using that property, tool, machinery or other instrument may, at any time, in writing, apply to the Executive Director, Environmental Inspector or local council which seized or impounded it for the property, tool, machinery or other instrument to be returned to him or her.

Restitution
of property.

(2) On receipt of an application under subsection (1), the Executive Director, Environmental Inspector or local council may return the property, tool, machinery or other instrument or part of it, upon being satisfied that its return is not likely to lead to the resumption of the emission of noise, or on terms and conditions as may be directed by the Executive Director, Environmental Inspector or local council as the case may be.

(3) Nothing in this regulation prevents the Executive Director, Environmental Inspector, or local council from returning the property, tool, machinery or other instrument to which this section applies without being requested to do so.

Guidelines
for noise
from plant
or
machinery.

19. (1) The Executive Director may, in consultation with a lead agency, issue guidelines requiring the use, in connection with any plant or machinery, of devices or arrangements for purposes of reducing the noise caused by the plant or machinery or from other sources of noise.

(2) Guidelines issued under subregulation (1) may apply standard specifications, descriptions or tests laid down in relevant documents not forming part of these Regulations.

Codes of
practice

20. For the purpose of giving guidance on appropriate methods, including the use of specified types of plant or machinery for minimizing noise, the Executive Director may by Notice in the *Gazette*—

(a) issue codes of practice as, in his or her opinion, are suitable for the purpose; and

(b) approve codes of practice issued or proposed to be issued by other relevant bodies which, in the opinion of the Executive Director, are suitable for the purpose.

Offences.

21. (1) A person who—

(a) emits noise in excess of the permissible noise levels prescribed by regulation 6;

(b) fails, neglects or refuses to control noise in accordance with these Regulations;

(c) fails to immediately reduce noise to a permissible noise level when required to do so;

(d) causes or contributes to the emission of noise in excess of the permissible noise levels from or within the vicinity of the premises during a prohibited period;

(e) fails, without lawful justification, to comply with any term or condition of a licence or order issued under these Regulations;

(f) makes a statement, or produces a document, that is false or misleading in a material particular; or

(g) obstructs the Executive Director, an Environmental Inspector or member of a local council in the execution of his or her duties,

commits an offence and is liable, on conviction, to a fine not less than one hundred and eighty thousand shillings and not more than eighteen million shillings, or to imprisonment for a term not exceeding eighteen months, or both.

(2) A person convicted of an offence under these regulations for which no penalty is provided is liable, on conviction, to a fine of not less than one hundred and eighty thousand shillings and not more than eighteen million shillings, or to imprisonment for a term not exceeding eighteen months, or both.

SCHEDULES.

FIRST SCHEDULE. MAXIMUM PERMISSIBLE NOISE LEVELS

PART I

regulation 6(1)

Maximum Permissible Noise Levels for General Environment

COLUMN 1	COLUMN 2	
FACILITY	NOISE LIMITS dB (A) (Leq)	
	DAY	NIGHT
A. Any building used as hospital, convalescence home, home for the aged, sanatorium and institutes of higher learning, conference rooms, public library, environmental or recreational sites.	45	35
B. Residential buildings	50	35
C. Mixed residential (with some commercial and entertainment).	55	45
D. Residential + industry or small-scale production + commerce.	60	50
E. Industrial	70	60

Time Frame: use duration

Day	-	6.00 a.m.	-	10.00 p.m.
Night	-	10.00 p.m.	-	6.00 a.m.

The time frame takes into consideration human activity.

PART II

regulation 6 (2)

Maximum Permissible Noise Levels (Continuous or intermittent noise) from a Factory or Workshop

Column 1	Column 2	Column 3
Leq dB (A)	Duration (Daily)	Duration (Weekly)
85	8 hours	40 hours
88	4 hours	20 hours
91	2 hours	10 hours
94	1 hour	5 hours
97	30 minutes	2.5 hours
100	15 minutes	1.25 hours
103	7.5 minutes	37.5 minutes
106	3.75 minutes	18.75 minutes
109	1.875 minutes	9.375 minutes

Noise Levels shall not exceed a Leq of—

- (i) Factory/Workshops 85 dB (A)
- (ii) Offices 50 dB (A)
- (iii) Factory/Workshop Compound 75 dB (A).

PART III

regulation 6(3)

Maximum Permissible Noise Levels for Impact or Impulsive Noise

Column 1	Column 2
Sound Level dB (A) (Lmax)	Permitted number of Impulses or Impacts <i>per day</i>
140	100
130	1,000
120	10,000

PART IV

regulation 6 (4)

Maximum Permissible Noise Levels for Construction Site

Column 1	Column 2	
Facility	Maximum noise level permitted (Leq) in dB (A)	
	Day	Night
(i) Hospitals, schools, institutions of higher learning, homes for the disabled, etc.	60	50
(ii) Buildings other than those prescribed in paragraph (i)	75	65

PART V

regulation 6 (5)

Maximum Permissible Noise Levels for Public Announcement System or Device

Column 1	Column 2	
Noise Control Zone	Sound Level dB (A) (Leq)	
	Day	Night
Residential	60	40
Commercial	75	50
Industrial	85	65

Time Frame:

Day - 6.00 a.m.- 10.00 p.m.
 Night - 10.00 p.m.- 6.00 a.m.

The time frame takes into consideration human activity.

PART VI

regulation 6 (6)

Maximum Permissible Noise Levels for Places or Establishments of
Entertainment

Column 1	Column 2	
	Sound Level dB (A) (Leq) Day	Sound Level dB (A) (Leq) Night
Residential	60	40
Commercial	75	50
Industrial	85	65

Time Frame:

Day 6.00 a.m. - 10.00 p.m.
 Night 10.00 p.m - 6.00 a.m.

The time frame takes into consideration human activity

PART VII

regulation 6 (7)

Maximum Permissible Noise Levels for Places or Areas of Worship

Column 1	Column 2	
	Sound Level dB (A) (Leq) Day	Sound Level dB (A) (Leq) Night
Residential	60	40
Commercial	75	50
Industrial	85	65

Time Frame:

Day 6.00 a.m. - 12.00 p.m.
 Night 12.00 a.m - 6.00 a.m.

The time frame takes into consideration human activity

PART VIII

regulation 6 (8)

Maximum Permissible Noise Levels for Accelerating Vehicles

Column 1		Column 2
	VEHICLE CATEGORY	MAXIMUM SOUND LEVEL in dB (A)
1	Vehicles intended for carriage of passengers and equipped with not more than nine seats, including the driver's seat	78
2	Vehicles intended for carriage of passengers, and equipped with not more than nine seats, including the drivers seat and having maximum permissible mass of more than 3.5 tones—	
a	with an engine power of more than 150 KW	80
b	with an engine power of less than 150 KW	83
3	Vehicles intended for carriage of passengers and equipped with more than nine seats including the drivers seat: vehicles intended for carriage of goods—	
a	with a maximum permissible mass not exceeding 2 tonnes	79
b	with a maximum permissible mass exceeding 2 tonnes but not exceeding 3.5 tonnes	80
4	Vehicles intended for the carriage of goods and having a maximum permissible mass exceeding 3.5 tonnes—	
a	with an engine power of less than 75 KW	81
b	with an engine power of not less than 75 KW but less than 150 KW	83
c	with an engine power of not less than 150 KW	84

PART IX

regulation 6(9)

Maximum Permissible Noise Levels for Mines and Quarries

Column 1		Column 2
	FACILITY	LIMIT VALUE IN dB (C)
1	For any building used as a hospital, school, convalescent home, old age home or residential building.	109dB (C)
2	For any building in an area used for residential and one or more of the following purposes: Commerce, small-scale production, entertainment, or any residential apartment in an area that is used for purposes of industry, commerce or small-scale production, or any building used for the purpose of industry, commerce or small-scale production.	114 dB (C)

SECOND SCHEDULE

PART I

APPLICATION FOR A LICENCE TO EMIT NOISE IN EXCESS
OF PERMISSIBLE NOISE LEVELS

regulation 12 (1)

FORM NEMA/NC.....

Name and address of applicant:

.....

Physical address of premises or facility where noise will be produced
or generated:

.....

Plot no. Village, parish, sub-county, county district)

Nature/Source/Type of noise to be emitted and predicted levels above
the standards (dBA) and time of emission

.....

.....

Describe the neighborhood with a radius of 2 km (Describe whether
industrial, residential, commercial and whether it is near a school or
hospital or residential area)

.....

.....

.....

Provide the anticipated mitigation measures intended to be used in
controlling the noise (may attach separate sheet)

.....

.....

Duration of emission of the noise applied for: (indicate time of day and
number of minutes/hours)

.....

Date: Signature of Applicant

FOR OFFICIAL USE ONLY

Date received /20.....

Fee paid shs (in words).....

Comments of the lead agency

.....

PART II

Regulation 12 (2)

LICENCE TO EMIT NOISE IN EXCESS OF PERMISSIBLE NOISE LEVELS

Licence No NEMA/NC/

.....of

.....
(address)

is licensed to cause emission or emit noise in excess of the permissible noise levels at
(location/district)

for the purposes of.....

Type of noise licensed

This licence is valid from 20 to 20

From the hours of*..... to of each day.

This licence is granted subject to the following conditions:

.....
.....
.....

Date:.....

Signature:

Executive Director
National Environment Management Authority

THIRD SCHEDULE
IMPROVEMENT NOTICE

regulation 16

(Issued under section 81(i) of the National Environment Statute, 1995 and regulation 16 of the National Environment (Noise Standards and Control) Regulations, 2003)

Form NEMA/NC/....

TO:

TAKE NOTICE that on the of 20..., an Environmental Inspector(s) from this Authority carried out an inspection of your establishment/facility located in Village, Sub-county of District where it was found that you or your agents were generating or producing noise in excess of the permissible noise levels and/or in contravention of these Regulations.

The Environmental Inspectors particularly found the following—

1.
2.
3.
4.

(attach more paper if necessary)

YOU ARE HEREBY ORDERED to stop/minimise/discontinue all activities that are causing or likely to generate the production of noise and reduce the noise levels to the permissible noise levels in the above mentioned facility/ establishments within a period of days from the date of this Notice. You are also required to restore the tranquillity of the surroundings.

YOU ARE NOTIFIED THAT in accordance with section 96 of the National Environment Statute 1995, failure to comply with this Notice shall result in criminal prosecution being instituted against you and/or your agent or both.

.....
ENVIRONMENTAL INSPECTOR

Copy to:

BAGUMA ISOKE,
Minister of State for Lands
Holding portforlio for,
Minister of Water, Lands and Environment.