

### Association's Objective

The association's objective is to safeguard and promote the legitimate interests of society and protect it from the adverse effect to the health & wellbeing caused by noise pollution.

Sound is essential in life for sharing information, interacting with other people, creating art, regulating schedules, and countless other aspects of life.

Yet, if sound is too loud or creates annoyance or frustration, it becomes **Noise; unwanted sound**.

Noise depends upon the listener and the circumstances. Noise levels vary in intensity and frequency.

### Noise Pollution & Health

Noise pollution is wide spread and increasing. What many people may not know is that long-term exposure to noise, even at the levels we are used to in urban areas, has significant health impacts.

Long term exposure to chronic noise which interfere with communication, concentration or rest, may cause serious health effects.. Exposure to chronic noise levels above 85dB(A), especially at the place of work or during entertainment, could induce hearing loss.

The European Environmental Agency reports that noise ranks second only to air pollution as the environmental exposure most harmful to public health. Noise pollution is a growing problem across Europe and one which many people may not be aware of the impacts of on their health.<sup>1</sup>

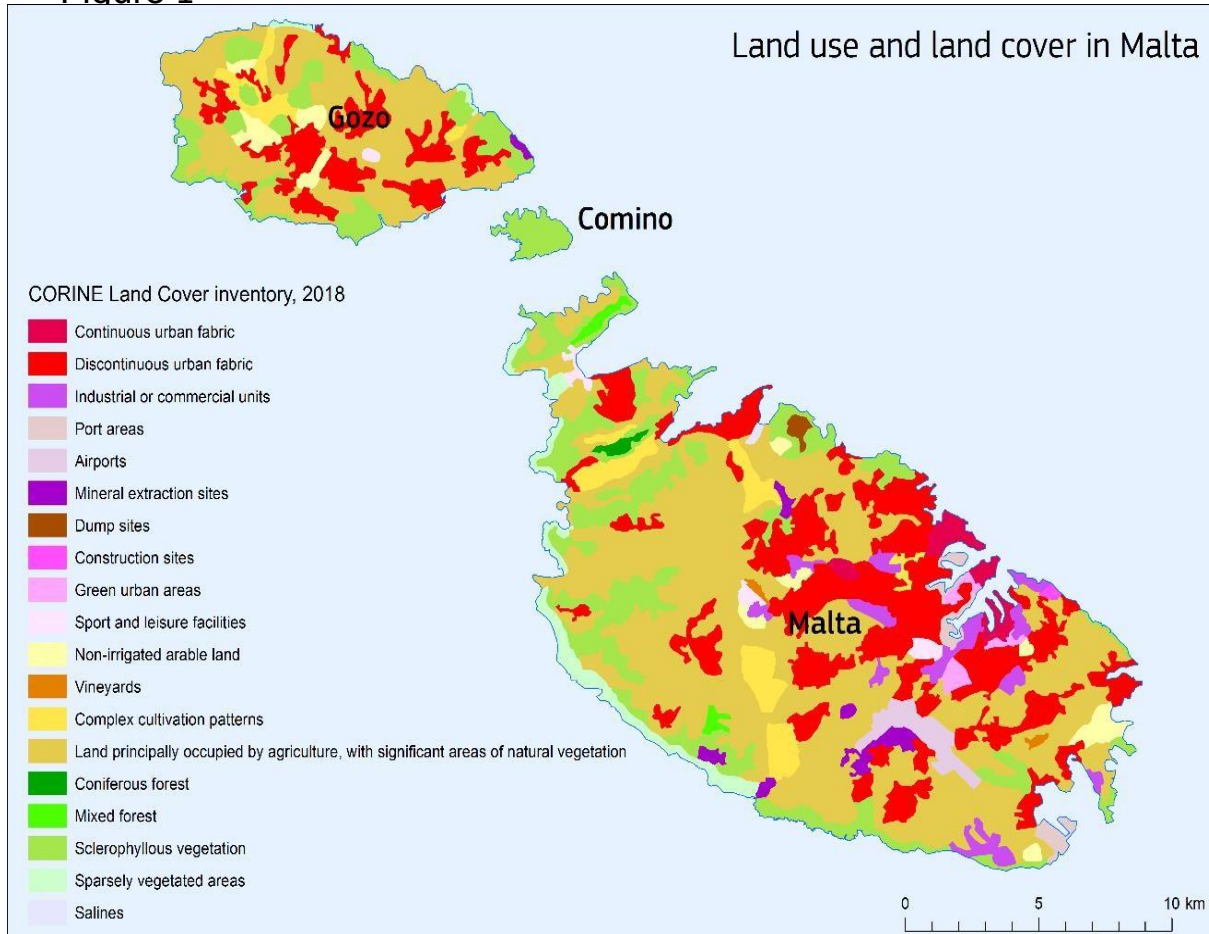
The 7<sup>th</sup> Environmental Action Programme<sup>1</sup>, introduced in 2013, included the objective that noise pollution in the EU should be significantly decreased by 2020, moving closer to World Health Organization recommended levels<sup>2</sup>. Notably, this objective **was not achieved**. "Noise pollution is projected **to increase because of future urban growth and increased demand for mobility**." <sup>1</sup>

The Maltese Statutory laws defines **Noise as Pollution**. However, Noise is considered to be a **nuisance, without significant harm to health**. The management of noise is **reactive and its** assessment, is by **subjective definition**.

<sup>1</sup>[https://www.eea.europa.eu/highlights#c7=en&c6=&b\\_start=0&c8=Traffic%20Noise](https://www.eea.europa.eu/highlights#c7=en&c6=&b_start=0&c8=Traffic%20Noise)

## Malta- Urban Sprawl

Figure 1



Urban sprawl has been correlated with increased energy use, pollution, and traffic congestion. In addition, by increasing the physical and environmental footprints of urban areas, the phenomenon leads to the destruction of wildlife habitats and to the fragmentation of remaining natural area

- ❑ Population 514,564 ( Foreigners 102,000)- 2019
  - ❑ 88 % (451,000) live in the Urban sprawl- Built-up area
  - ❑ The Built-up area amount to 30% 73.6 km<sup>2</sup> of the Island footprint
  - ❑ Urban population density: 6,191/ km<sup>2</sup>
- Not included in the urban sprawl: Siggiewi, Rabat , Birzebbuga and Gozo TI 63,500  
**slide 4**

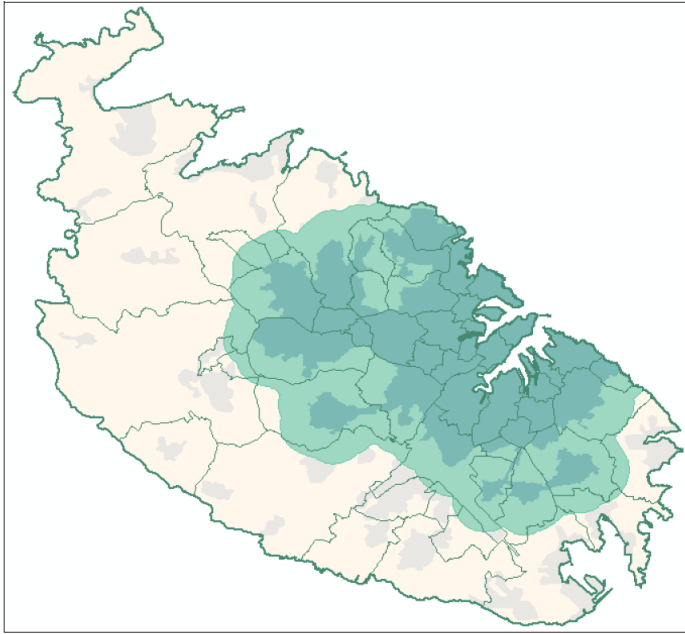
The urban sprawl is continuously expanding , obliterating boundaries between Towns and Villages. “Due to the rapid and unplanned development, residential areas are located side by side with industrial, commercial, catering establishments” , Health and Education centres.

### **Noise pollution sources**

The main noise polluting sources are; Construction, Transport and Leisure Industries. Other noise sources in the neighbourhood includes: ship-repair yards, Freeport, Boat Parties, Vehicle servicing workshops, band clubs, wedding halls, street vendors, street parties, and the noisy neighbours.

## People Exposed to Ambient Noise > 55dB(A) inside and outside the Agglomeration

**Figure 3.5:** R3 Agglomeration area



**Figure 3.6:** R3 Model area – agglomeration area plus 1km buffer

### . Malta Agglomeration<sup>2</sup>

The average urban density in the agglomeration is: 5131/Km<sup>2</sup>- 113,700 of those living in the agglomeration, are exposed to traffic noise exceeding 55 dB(A).<sup>2</sup>

Meantime, the EEA report; Quiet areas in Europe<sup>3</sup>, state that 70% of the population; 360, 200, are exposed to noise levels exceeding 55 dB(A).<sup>3</sup>

Traffic noise is the most diffused source outside and inside the agglomeration. Nevertheless, the Ambient noise is made up of several other sources: Malta Freeport, Malta Airport, Industrial estates, construction activity, waste and water treatment facility, scrap yards, batching plants and cultural events.

Noise pollution is projected **to increase because of future urban growth and increased demand for mobility.** EEA in reference to the 7<sup>th</sup> Environmental Action Programme <sup>4</sup>

<sup>1</sup> [Population NSO census 2015 /20](#)

<sup>2</sup> [Acoustica 2019 report](#)

<sup>3</sup> [EEA – Quiet Areas in Europe](#)

<sup>4</sup> <https://www.eea.europa.eu/soer/2010/countries/mt/land-use-state-and-impacts-malta>

**Table 7.6:** Number of people living within dwellings exposed to noise categories from R2 and R3 agglomeration roads

Noise Scenario	Noise Category	R2 Population	R3 Population
L <sub>den</sub>	55-59	16,300	23,200
	60-64	12,400	14,600
	65-69	14,100	21,600
	70-74	5,000	6,700
	≥75	900	1,100
	<b>Total</b>	<b>48,600</b>	<b>67,200</b>
L <sub>night</sub>	50-54	12,600	15,200
	55-59	15,000	21,900
	60-64	5,200	7,900
	65-69	1,100	1,600
	≥70	100	0
	<b>Total</b>	<b>34,000</b>	<b>46,500</b>

**Note:** Due to rounding of underlying results to nearest 100, the values in the table may not always add up as expected.

ERA – Agglomeration - The total area of the R3 agglomeration is 54.1 km<sup>2</sup>, the same as in R2, whilst the total R3 population within the agglomeration is 277,600, compared to 270,000 for R2.

Malta's population in 2019 was 514564<sup>1</sup>. Of these, 54 % live in the agglomeration

## Malta's National density compared to Urban density

For noise prevention and abatement to have a tangible effect, the statistics used for urban planning must be physically accurate and represent the situation on the ground. At a national scale and indeed, in common parlance, Malta is considered to be much more densely populated than most of its European neighbours. However, this is not a true reflection of reality, as cities with a similar or large footprint vastly exceed Malta's national average. Therefore, comparing like with like necessitates comparison with similar land cover type (urban areas) and spatial footprint.

Table 1 Urban population of European Cities				
City	Population	Area Km <sup>2</sup>	Density/ Km <sup>2</sup>	Country
Paris	2,203,817	105.40	18,940	France
Barcelona	1,621,537	101.90	15,991	Spain
Naples	959,574	117.27	8,183	Italy
Dublin	553,165	114.99	4,811	Ireland
Toulouse	479,638	118.30	4,054	France
Plovdiv	346,893	101.98	3,249	Bulgaria
Malta	514,520 <sup>1</sup>	<b>73.6</b>	6,191	Malta
Brent	346,161	43.2	8,013	London Boroughs
Ealing	369,408	55.5	6,656	
Hunslow	287,056	56.0	5,126	

Malta with a population of half a million and an urban sprawl covering 73.4Km<sup>2</sup> is compared to a small city in the EU. Comparing the urban population density of other European city to that of Malta: Table 1.

Nevertheless, several measures are put in place in European cities to reduce noise pollution, such as; replacing older paved roads with noise reducing asphalt, better management of traffic flows and reducing speed limits to 30 kilometres per hour, noise barriers and noise monitoring networks. Night noise is efficiently controlled by the enforcement of the statutory regulations. The day noise level in urban areas from any activity must not exceed the background noise level by 10 dB(A).

\*20% the Maltese population (514,464) are foreigners

Paris districts urban population varies between 9600 and 32600/ Km<sup>2</sup>  
 London boroughs urban population vary between 8000 and 15000  
 Paris districts urban population varies between 9600 and 32600/ Km<sup>2</sup>

[https://en.wikipedia.org/wiki/List\\_of\\_European\\_Union\\_cities\\_proper\\_by\\_population\\_density](https://en.wikipedia.org/wiki/List_of_European_Union_cities_proper_by_population_density)

<https://data.london.gov.uk/dataset/land-area-and-population-density-ward-and-borough>

## Noise management

### The Management of Chronic noise?

Relief from chronic noise<sup>1</sup> is a frustrating experience. Often than not, noise regulatory authorities relinquish, the responsibility to investigate noise complaints, to the police. Noise is assessed subjectively; How loud it too loud! Even ,if noise is abated , in most cases it would be temporary. Noise complainants have to be insistent and resilient ; **slide 7**. Noise complaints presented for court hearing are a protracted affair. Court cases, might be postponed or at worst dismissed.

Fragmentation of institutional responsibilities and legislation appears to be amongst the main drawbacks that hinder the authorities from regulating noise effectively. The authorities favour remedial, as opposed to a preventive approach to noise abatement.

The responsibilities for regulating noise is divided amongst '10 regulatory bodies; responsible to 6 Ministries'; **slide 6**. There is no specific institutional mechanism for coordination on matters related to noise; ***Regulators Code of Practice***.

### Noise Complaints Investigation

The regulatory authorities rarely enforce the regulations after office hours. Consequently, noise complaint during the evening and night is reported to the police, who will investigated depending on the work load. The noise intensity is assessed subjectively, How loud is too loud. On frequent occasions when the police arrive to investigate, the sound volume is low. Once they leave the volume is turned up again. Noise perpetrator often relapse after being cautioned.

The Noise complaints presented for court hearing by the police are on the insistence of the complainant. Noise report measured to BS4142, is advantageous to a case presented for court hearing. WHO Community Noise guidelines are accepted at the Court of Law.

### Steps to Prevention and Control Noise

Noise must be identified. Then measured to determine the relative contribution to the excessive noise levels<sup>1, 2</sup>.

Therefore, noise measuring and assessment standards must be enacted into law, to enable efficient noise control. Thus, those exposed to noise pollution would be protected. *NASoM conclusion slide 9*

### ***Regulators Code of Practice***

1 The regulator's responsibility should be clear and objectively set out, preferably by law.

2 Legislation should be designed to ensure that any division of responsibility among regulators avoids gaps or inequities. Where there is a division of regulatory responsibilities, substantially the same type of conduct generally, should not be subject to inconsistent regulatory requirements.

3 There should be effective cooperation among responsible authorities, through appropriate channels.

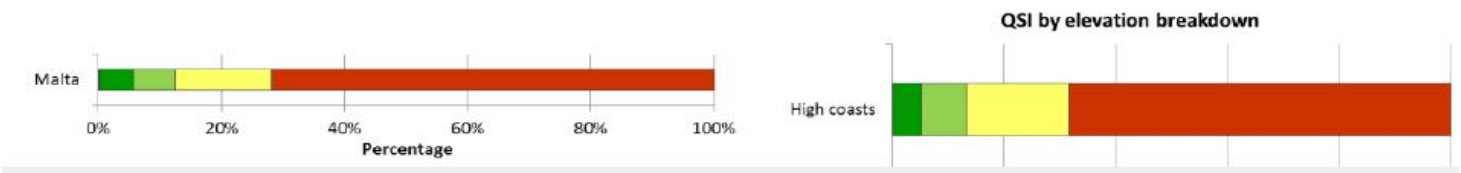
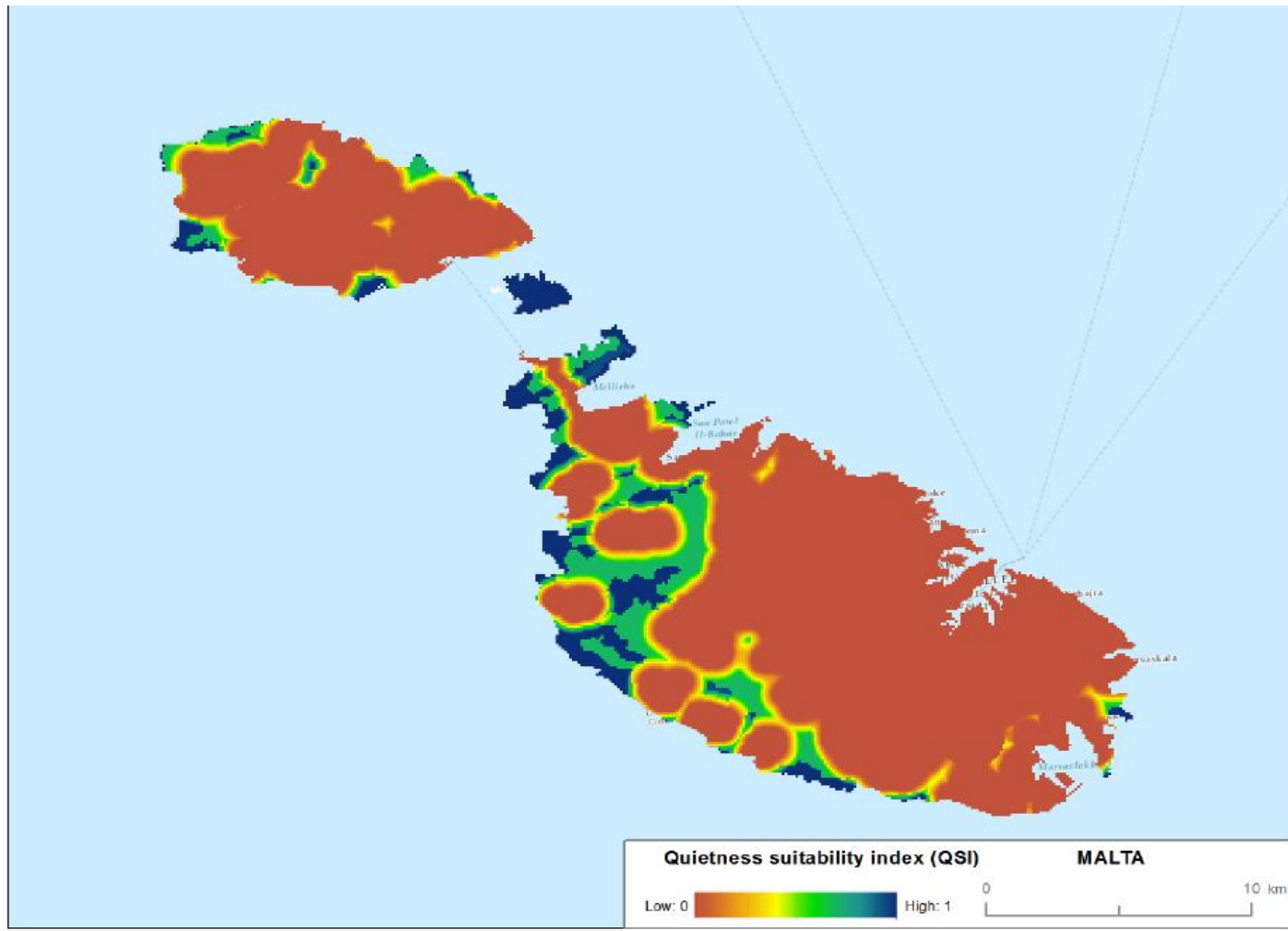
<sup>1</sup>Neighbourhood noise: Noise from domestic premises, places of entertainment, Construction, hawkers. Fireworks, Street parties and Noisy equipment

<sup>2</sup> [British Standards. 4142:2019](#)

<sup>2</sup>[WHO Community Noise Guidelines.](#)



# QUIET AREAS IN EUROPE



European Environment Agency



## Quietness Suitability Index (QSI)

The QSI is composed of two elements:

1) Noise disturbance as a result of distance to noise source; objective criteria, quantitative data:

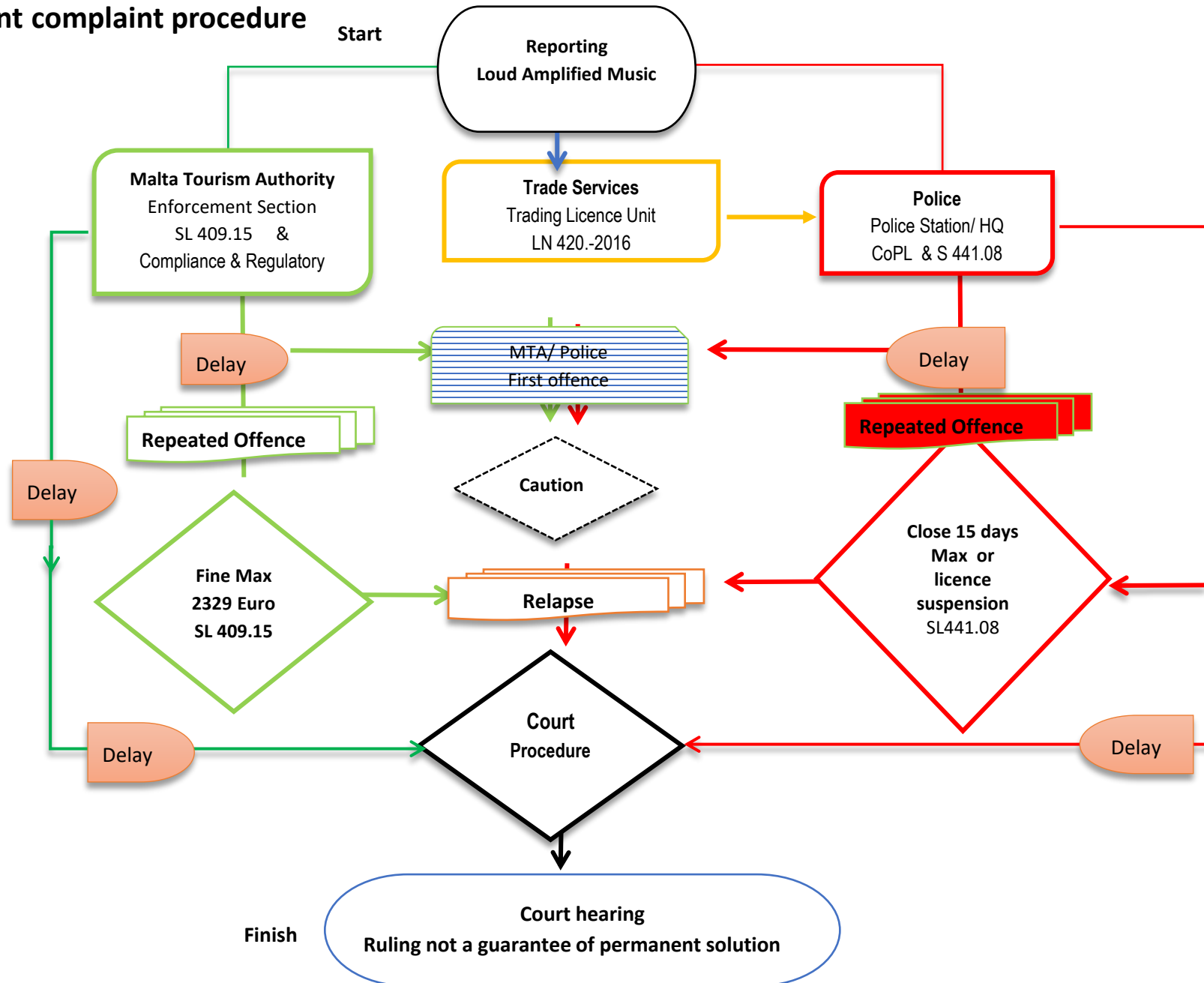
Threshold distances are determined considering noise levels determined by noise contours maps (END areas exposed to less than 55dB(A)  $L_{den}$ ).

2) The perceptive dimension of quietness by the human beings (subjective criteria, qualitative data): this dimension is related to the importance given to natural elements and to landscaping configuration. This dimension has been introduced in the QSI formula as a reclassification of the Corine Land Cover database on the hemeroby index.

- ❖ MINISTER for Transport Infrastructure & Capital projects
  - REGULATORS , Maritime, TA
    - **Damage to Third Parties**-136/2019
    - **Motor Vehicle Regulations**- 65.11/94
    - **VRT Regulations**-65.15/17
    - **Pedal & Low powered cycles**-36/2012- exhaust NL 91 dB(A)
    - **Code of practice for the safety of commercial vessels**- Noise level not to exceed 65dB(A)
    - **Commercial Vessels Reg.**- SL 499/23- Recreational craft maximum noise level not to exceed 75dB(A)
- ❖ MINISTER for Home affairs, NS & Law Enforcement
  - REGULATOR- Executive
    - **Code of Police Law**- Articles 41 & 153
    - **Criminal Code**- Article 337(5)- remove nuisance or inconvenience
    - **Malta Police Act**-Just in time action before action through the judicial system to repress any breach
- ❖ MINISTRY for the economy and industry
  - REGULATOR- TLU
    - **Business Hours- S.L.441.08-**
  - Open-air Playing Amplified Music > 500 M from residential area.
    - **Trading Licence Reg.**

2.1 cause annoyance to neighbours;  
2.4 cause annoyance by way of noise.  
9.0 Cause nuisance by playing live music after 11 p.m.
- ❖ MINISTER for the Environment, CG & Planning
  - REGULATORS- ERA, MRA
    - **Environment & Development Planning Act- Noise pollution**
    - **Assessment & Management of Environmental Noise [END]**
    - **Noise Control Commission**
- ❖ MINISTER for Tourism
  - REGULATOR- MTA
    - **Catering Establishment Regulations**- 409/2015
    - **Compliance & Regulatory**
    - Article 40 of The Malta Travel and Tourism Services Act
- ❖ MINISTER of Health
  - REGULATOR- Health Inspectorate
    - **Public Health Act** – Limit or eliminate noise
- ❖ MINISTRY FOR PUBLIC WORKS AND PLANNING
  - REGULATORS: PA, BCA, OHSA
    - **Safety for work at construction site** -281/2004
    - **Protection from noise exposure at the place of work**- 156/2006

# Noise Infringement complaint procedure





## Conclusion

### What is causing environmental pollution?

Overtourism, unregulated construction and the car -related industries are causing irreparable damage to our heritage, our national identity and to the environment. Worse, pollution is causing unnoticed damage to our health.

The damage caused by poor urban planning will worsen until further expansion and exploitation become quantifiably unprofitable, whether through a redirection course through legal means or feedback loops, such as damage to socio-economic sectors. It would be in the Nation's interest to mitigate irreparable damage before it occurs rather than trying to mitigate an already degraded environment, be it urban or natural.

ERA are responsible to prepare Noise Action Plans to reduce and control noise pollution in the agglomeration area; 54Km<sup>2</sup>. A total of 113,700 people living in the agglomeration, are exposed to traffic noise exceeding 55dB(A). Nevertheless, the ambient noise in the urban areas, inside and outside the agglomeration, is made up of several sources such as: ship-repair yards, Freeport, Boat Parties, Vehicle servicing workshops, band clubs, wedding halls, street vendors, street parties, and the noisy neighbours. So, what is the average noise level in the urban areas?

The **EEA report, 'European Quiet Places'**, indicated that **only 30%** of the Island is unaffected by noise levels exceeding 55dB(A).

The noise regulations are ambiguous, outdated and not fit for today's purpose. Noise is assessed by subjective definition. There are far too many regulatory authorities intended to regulate noise but lack the means or ability to enforce the regulations. If regulations are enforced, the reprieve is temporary and delivery is far too late.

What needs to be done:

Amendment of the noise legislation :

- Make noise pollution a criminal offence.
- Introduce standard and methods for measuring and assessing noise
- Introduce noise level thresholds
- One regulatory entity with the responsible and authority to manage and control noise pollution.
- Revision of all statutory noise regulations to amend noise criterion- from subjective to objective
- *Introduction of a Regulators Code of Practice*

[NASoM contribution to noise reduction](#)

## Main Noise Sources

- ❑ Construction - Residential, Commercial & infrastructure. 6 days a week from 7am: 5pm
  - ❑ Building permits increased by an average of 3000 per year, beginning 2015...
  - ❑ Construction continued unabated during covid19
- ❑ Road transport 06:00 – 21:00; decrease considerably during the night- 11p.m. till 7 a.m.
  - ❑ Registered vehicle increased by 9000 vehicles per year, beginning 2010...
  - ❑ Aircraft movement during 2019 exceeded 50,000
- ❑ Hospitality and leisure activity (indoors & Outdoors) : 18:00 – 03:00
  - ❑ Tourist influx in 2019 - 2.75M, an increase of 1.4M on 2015...
  - ❑ Noise pollution from various activities- especially detrimental during rest periods

### Other Noise Sources:

- ❖ Commercial- Services & products
- ❖ Industry- Manufacturing, processing & production
- ❖ Civil activities- Local Councils, street celebrations (including parties) & national celebrations
- ❖ Neighbour noise- Shouting, loud music, loud activities during rest periods

WHO: recommendations for Community noise levels:  $L_{den} 55 \text{ dB(A)} \cdot 24\text{hrs.}$  [ penalty of 5 dB for Evening & 10 dB for night]

### *Noise & Vibration intensity:*

- Excavation - 108 dB(A) measured 4m from equipment
- Concrete mixers, Compressors, Trucks, Bulldozers - 85 - 95dB(A)
- Tower Cranes - 76dB(A)
- Vibration causing minimum structural damage or worst, total destruction of buildings & lives

The NGO recommends the use of :

- Excavation equipment that generated less than 65 dB(A) measured at 4m from construction site
- In residential areas the application of [[Hydraulic rock splitting](#)]
  - Hydraulic rock splitting is dust and vibration free and almost noiseless.
- Overhauling the construction works practice and excavation methodology

Remarks:

- Building Permits increased by 30% annually in the last 4 years to reach 12,885 in 2018
- The completion date for most of the construction projects not observed
- Uncontrolled noise and dust pollution

# Building & Construction – Developing Permits

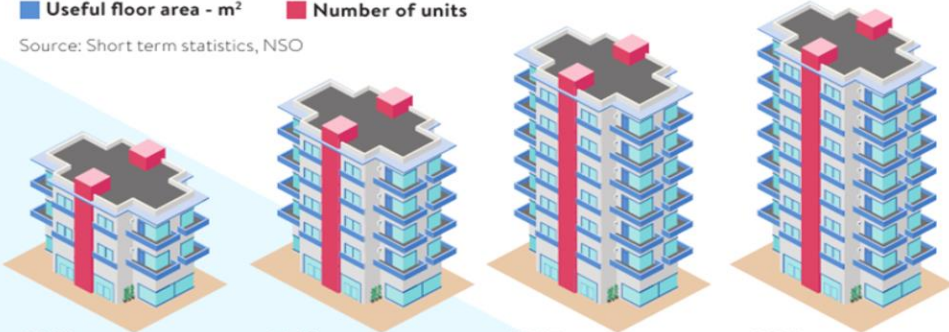
## Residential building permits - (2011-2018)



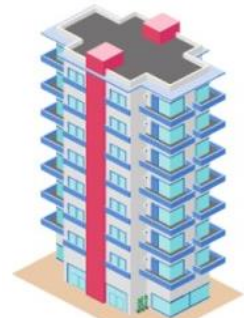
2011	2012	2013	2014
500,082	453,246	448,273	493,398
3,955	3,064	2,705	2,937

■ Useful floor area - m<sup>2</sup> ■ Number of units

Source: Short term statistics, NSO



2015	2016	2017	2018
588,131	966,930	1,206,027	1,115,243
3,947	7,508	9,822	12,885



2019  
12,485

In 2018, residential building permits were issued for 12,885 units, signifying an increase of 31 per cent over 2017. The data indicates however that smaller dwellings are being constructed. Useful floor area per unit went from 120 square metres in 2010 to 87 square metres in 2018.

### **S.L. 552.09 of 2007 Environmental Management Construction Site Regulations**

#### Schedule III Reducing Pollution

- (a) Construction shall not commence before 7.00 am and shall cease at 8.00 p.m.;
- (b) Site noise > **65dB** measured immediately outside the site shall cease between 2pm and 4pm.
- (d) No construction work shall be carried out on Sundays and Public Holidays.

### **L N 136/2019 Avoidance of Damage to Third Party Property Regulations**

- (a) mechanical excavator with a hydraulic hammer attachment; or with pneumatic drill either before 8 o'clock in the morning, or between 2 o'clock and 4 in the afternoon or after 8 o'clock in the evening and all day on Sundays and public holidays is not permissible.

### **L.N. 281 of 2004- OHSA Minimum safety & safety requirements at the place of work- Construction**

#### OHSA- Code of Practice for the Construction Industry

##### Remarks:

- (a) Construction noise level in urban areas not to exceed the background noise by 10dB(A) at all times.*
- (b) Construction work to cease at 5 p.m.*
- (c) Mandatory noise & vibration monitoring at the construction site by independent operator*
- (d) Development of new excavation technology .*

## Transportation

### Road Transport

- Road Peak traffic in urban areas <> 5900-18000. [North Inner harbour & North outer harbour] <sup>1</sup>
- Daily vehicles single trips > 170000. <sup>1</sup>
- Registered road vehicle increased by 93,000 in less than 10 years <sup>2</sup> ....
- Aircraft movement exceeded 50,000 flight in 2019 <sup>3</sup>

Malta Transport: “A significant proportion of Malta’s population are exposed to the average levels above 55dB(A) during the day and night”.

The motor vehicles and motorcycles Exhaust noise level thresholds **are in breach of** EU Regulations; slide 12.

#### Total -Vehicle rolling stock 2009 -2022

- 297776 <> 413019 increase 121,478
- Private cars 2022 – 2009 increase 74,634
- Mcycles 2022 - 2009 increase 22,524
- <sup>2</sup>NSO Registered Vehicles

<sup>1</sup>Malta Transport Authority

<sup>2</sup>NSO

<sup>3</sup>MIA

<sup>1</sup> [https://www.eea.europa.eu/highlights#c7=en&c6=&b\\_start=0&c8=Traffic%20Noise](https://www.eea.europa.eu/highlights#c7=en&c6=&b_start=0&c8=Traffic%20Noise)

<sup>2</sup>NSO Registered Vehicles



### **Regulations** as Union 'laws'

The legal acts that enable the Union institutions to impinge furthest on the domestic legal systems are the regulations. Two features highly unusual in international law mark them out.

- The first is their Union nature, which means that they lay down the same law throughout the Union, regardless of international borders, and apply in full in all Member States. A Member State has no power to apply a regulation incompletely or to select only those provisions of which it approves as a means of ensuring that an instrument which it opposed at the time of its adoption or which runs counter to its perceived national interest is not given effect. Nor can it invoke provisions or practices of domestic law to preclude the mandatory application of a regulation.

### **National VRT - Exhaust sound level testing**

Motor Vehicles **105 dB(A)**

Motorcycles – **119dB(A)**



**Breach**

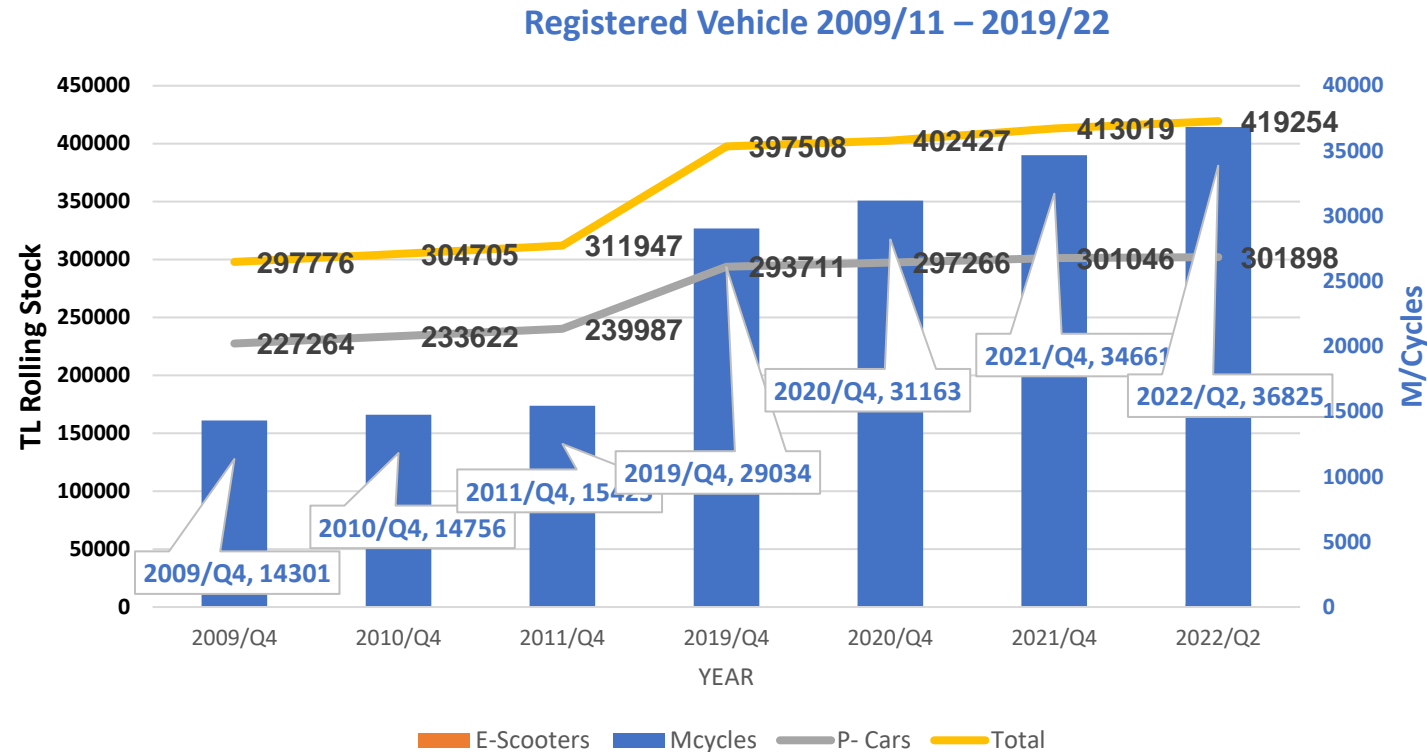


### **EU Regulations - Exhaust sound level**

MI & M2 Motor vehicle – **70 to 74 dB(A)** - Annex III

Two wheeler Motorcycles – **63 – 68 dB(A)** - Annex VI

## Stock of Licensed vehicles : M/Cycles, Private Cars/ TL rolling stock



Compiled by: **Regional, Geospatial, Energy and Transport Statistics Unit**  
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## Traffic Noise

WHO has classified traffic noise as the second most important cause of ill health in Western Europe, behind only air pollution. The 7<sup>th</sup> Environmental Action Programme<sup>1</sup>, introduced in 2013, included the objective that noise pollution in the EU should be significantly decreased by 2020, moving closer to World Health Organization recommended levels<sup>2</sup>. Notably, this objective **was not achieved**. “Noise pollution is projected to **increase because of future urban growth and increased demand for mobility.**” <sup>1</sup>

## Registered Vehicles 2009 to 2022

Table 1. Stock of licensed motor vehicles

Year	Agricultural	Coach and private bus	Minibus	Route bus	Motorcycle	Electric motorcycle	Private vehicle classes								Commercial vehicle	Garage Hire	Self-drive car	Self-drive motorcycle	Taxi	Total
							Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Electric	Total						
<b>2009</b>																				
Q1	1,470	157	433	582	14,339	3	106,939	27,571	22,327	30,464	28,516	8,414	32	<b>224,263</b>	48,005	1,191	5,019	98	248	<b>295,808</b>
Q2	1,490	156	432	582	14,492	4	107,823	28,188	22,381	31,108	29,136	8,608	33	<b>227,277</b>	48,171	1,192	5,322	108	248	<b>299,474</b>
Q3	1,499	158	432	582	14,444	4	107,973	28,432	22,199	31,226	29,283	8,578	33	<b>227,724</b>	47,975	1,203	5,425	117	248	<b>299,811</b>
Q4	1,512	159	451	576	14,301	5	107,702	28,604	21,990	31,042	29,289	8,607	30	<b>227,264</b>	47,212	1,181	4,793	74	248	<b>297,776</b>
<b>2010</b>																				
Q1	1,531	164	469	574	14,458	5	108,639	28,932	21,948	31,388	29,721	8,816	29	<b>229,473</b>	47,337	1,163	4,812	74	248	<b>300,308</b>
Q2	1,561	163	476	563	14,534	5	108,815	29,221	21,909	31,492	29,949	8,964	29	<b>230,379</b>	47,378	1,172	5,045	81	248	<b>301,605</b>
Q3	1,568	170	484	564	14,666	10	109,433	29,611	21,923	31,695	30,321	9,185	32	<b>232,200</b>	47,526	1,181	5,069	75	248	<b>303,761</b>
Q4	1,583	171	504	566	14,756	12	109,690	30,026	21,874	31,864	30,693	9,445	30	<b>233,622</b>	47,554	1,145	4,480	63	249	<b>304,705</b>
<b>2011</b>																				
Q1	1,592	174	486	568	14,870	12	109,613	30,500	21,759	31,957	31,099	9,703	28	<b>234,659</b>	47,693	1,142	4,260	67	248	<b>305,771</b>
Q2	1,607	182	512	760	15,070	13	109,778	30,992	21,787	32,222	31,532	9,993	28	<b>236,332</b>	48,097	1,167	4,488	78	248	<b>308,554</b>
Q3	1,623	280	532	375	15,299	13	110,117	31,532	21,891	32,352	31,914	10,241	25	<b>238,072</b>	48,254	1,168	4,435	79	279	<b>310,409</b>
Q4	1,644	282	563	324	15,425	18	110,335	31,995	21,996	32,634	32,465	10,536	26	<b>239,987</b>	48,367	1,144	3,848	64	281	<b>311,947</b>

### Traffic Noise

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<sup>2</sup> NSO Registered Vehicles

### S.L 65.15 – Motor vehicle roadworthiness test:

#### First schedule

#### c) Sound level testing

Exhaust noise level threshold of Motor Vehicles between **100 & 105 dB(A)** <> EU Regulations **70<>74 dB(A)**

Exhaust noise level threshold for motorcycles – **119dB(A)** EU regulations **62<>68 dB(A)**

#### S.L. 65.11 Motor Vehicles Regulations

- 96) horns: No pneumatic horn and no motor driven horn shall be used on any motor vehicle.
- 116) loud music: No driver shall operate, musical in MV that may hinder the driver from hearing properly or cause annoyance to passengers in the vehicle or other people in any inhabited place.

L.N. 36/2012 Pedal & Low- powered cycles - 4)2.b Cycle fitted with an internal combustion engine the exhaust noise level must not exceed 91 dB(A)

#### Remarks:

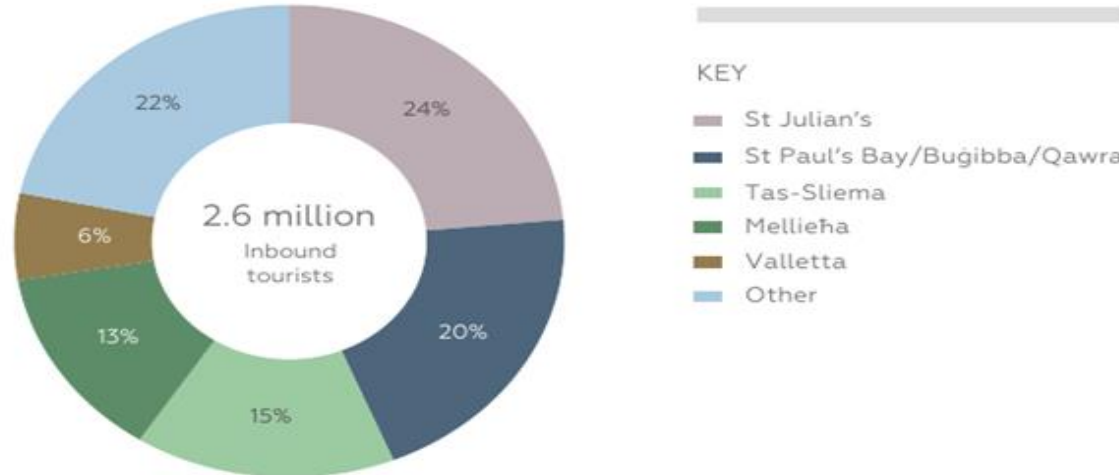
- Amendment of [the VRT regulations \(SL65.15\)](#) : Exhaust sound level testing – to adopt the EU Exhaust sound levels for Vehicles & Motorcycles.
- The exhaust noise level of assisted bicycles must be decreased from 91 dB to 64 dB(A)
- **Regulation 96- ‘operating pneumatic/motor driven horn’**, is breached 6 days a week by most street vendors. Enforcement is a must.
- The public have to be informed of the hazard to the health caused from exposure to noise.

## Tourism - Noise nuisance sources

Residents frequently reach out to the NGO to complain about noise from catering establishments & other sources:

- Loud amplified music from bars , restaurants & open-air discos- during the evening till late at the night.
- By rowdy revellers during rest periods
- By foreign students
- From organised street parties
- Cleaning before closing the establishment, after midnight.

*CHART 6.2.2.13 – Top 5 localities where inbound tourists who visited Malta region as a single centre destination, stayed longest: 2019*



During 2019, the top five places where single centre inbound tourists to Malta region stayed longest included St Julian's, St Paul's Bay/Bugibba/Qawra, Tas-Sliema, Mellieħa and Valletta (Chart 6.2.2.13).

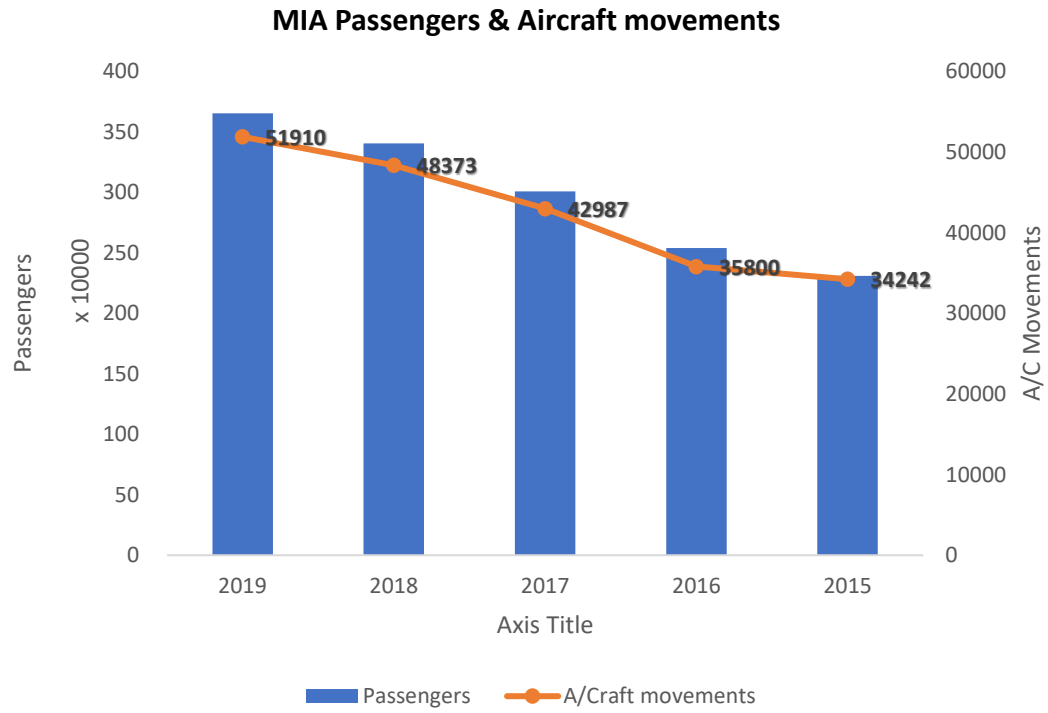
Remarks:

Tourist arrivals 2019 - 2.7M .....

Prime tourism zones over-populated >60%

84,000 student visited Malta in 2019

## Tourist Influx & Aircraft movements



Source: NSO (Inbound Tourism)

<sup>1</sup>incl. overnight cruise passengers

### Inbound Tourists by Quarter

	2017	2018	2019	Change 2019/2018
January to March	348,890	414,400	425,892	2.8%
April to June	641,292	747,944	782,176	4.6%
July to September	771,791	874,497	927,358	6.0%
October to December	511,865	561,849	617,814	10.0%
<b>Total inbound tourists</b>	<b>2,273,837</b>	<b>2,598,690</b>	<b>2,753,239</b>	<b>5.9%</b>



## Overtourism in prime tourist zones

Localities	Population	Tourist	Tourist arrivals		Tourist arrivals		Tourist arrivals		Tourist arrivals	
		Share	January - March		April- June		July- September		October- December	
		%	3 Months	Monthly	3 Months	Monthly	3 Months	Monthly	3 Months	Monthly
St Julians	11,700	24%	102,214	34,071	187,722	62,574	222,566	74,189	148,275	49,425
SPB	32,000	20%	85,178	28,393	156,435	52,145	185,472	61,824	123,563	41,188
Sliema	22,000	15%	63,884	21,295	117,326	39,109	139,104	46,368	92,672	30,891
Melliha	13,000	13%	55,366	18,455	101,683	33,894	120,557	40,186	80,316	26,772
Valletta	5,157	6%	25,554	8,518	46,931	15,644	55,641	18,547	37,069	12,356
Others	428,143	22%	93,696	31,232	172,079	57,360	204,019	68,006	135,919	45,306
Totals	512,000	100%	425,892	141,964	782,176	260,725	927,358	309,119	617,814	205,938

Localities	Population	Tourist stay guest nights 10 days	Locality over populated %	Tourist stay guest nights 10 days	Locality over populated %	Tourist stay guest nights 10 days	Locality over populated %	Tourist stay guest nights 10 days	Locality over populated %
		Jan/March		April/June		July/Aug		Oct/Dec	
St Julians	11,700	11,357	97%	20,858	178%	24,730	211%	16,475	141%
SPB	32,000	9,464	30%	17,382	54%	20,608	64%	13,729	43%
Sliema	22,000	7,098	32%	13,036	59%	15,456	70%	10,297	47%
Melliha	13,000	6,152	47%	11,298	87%	13,395	103%	8,924	69%
Valletta	5,157	2,839	55%	5,215	101%	6,182	120%	4,119	80%
Others	428,143	10,411	2%	19,120	4%	22,669	5%	15,102	4%
Totals	512,000	47,321		86,908		103,040		68,646	

Tourists quarterly				
Tls.	425,892.00	782,176.00	927,358.00	617,814.00
Total Tourist 2019	2,753,240.00			

[Tourist Statistics MTA](#)

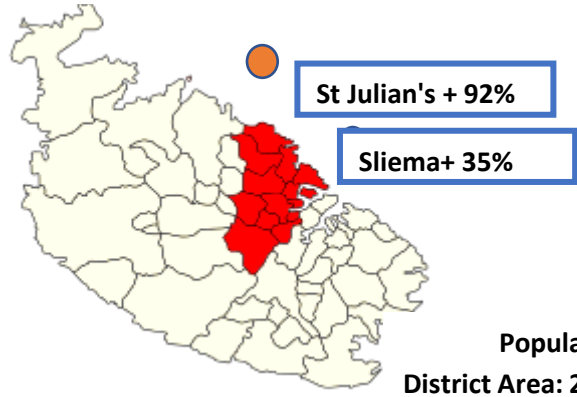
[Tourist Stats MTA](#)

[Population NSO census 2022](#)

Calculation based on average 10 days guest night

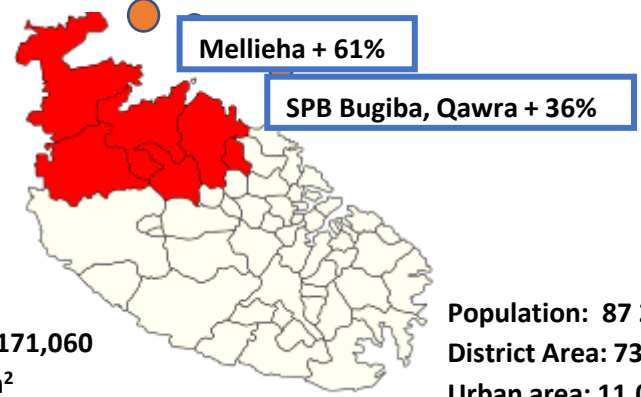
## Overtourism in prime tourist zones

**Northern Harbour District**



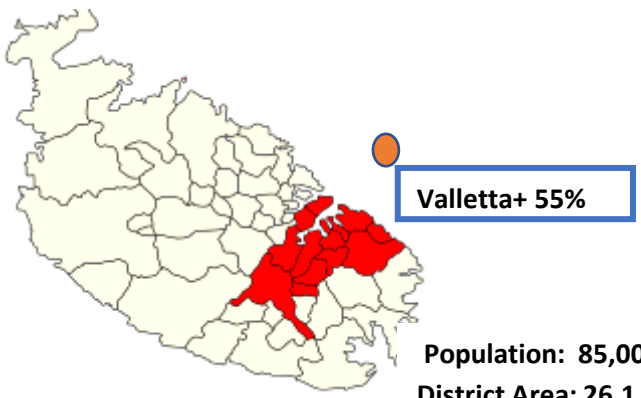
Population: 171,060  
District Area: 24.1 Km<sup>2</sup>  
Urban area: 22.5 Km<sup>2</sup>  
*Urban density: TI 7557, M 5300*  
Foreigners >30%

**Northern District**



Population: 87 272  
District Area: 73.6 Km<sup>2</sup>  
Urban area: 11.00 Km<sup>2</sup>  
*Urban density: TI 7980, M 6000*  
15/30% Foreigners

**Southern Harbour District**



Population: 85,000  
District Area: 26.1 Km<sup>2</sup>  
Urban area: 14.6 Km<sup>2</sup>  
*Urban density: TI 5821, M 5440*  
Foreigners 5/10 %

**Western District**



Population: 62, 927  
District Area: 72.0 Km<sup>2</sup>  
Urban area: 7.8 Km<sup>2</sup>  
*Urban density: TI 8076, M 7800*  
Foreigners 5 %

**South Easter District**



Population: 74,831  
District Area: 53.3 Km<sup>2</sup>  
Urban area: 10.6 Km<sup>2</sup>  
*Urban density: TI 7075, M 5306*  
Foreigners 10/30 %

**Gozo & Comino**



Population: 34, 563  
District Area: 67.0 Km<sup>2</sup>  
Urban Area: 4.01Km<sup>2</sup>  
*Urban density: TI 8155, M 6900*  
Foreigners 15 %



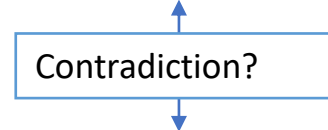
Population increase by overtourism

Urban population density  
TI - Maltese & Foreigners  
M -Maltese

## Catering Establishment Regulations

### S.L 409.15- Catering Establishments Regulations

12(1) Licensees/operators of catering establishments shall ***not play amplified music unless a permit is issued by the Authority***



### S.L. 441.08 – Business hours Regulations

6.4(a) The playing of music by whatever means inside commercial premises ***when the licensees/operators are not licenced to play amplified music*** shall stop by 11 p.m. & between 1 & 4 p.m.

6.4(d) the establishments licenced to open for business from 1 a.m. to 4 a.m. shall not cause annoyance or inconvenience to neighbours by any sound from inside or outside of the establishments..

6.5 Remedial action by the police for the breach of the regulation: Immediate closure of premises for 12hrs or closure of the premises and cessation of any commercial activity for not more than 30 days.

### Trading Licence - PART II - Second Schedule –

*Conditions For Carrying Out a Commercial Activity must not:*

2.1 cause annoyance to neighbours;

2.4 cause annoyance by way of noise.

9. No commercial activity located in an urban area can generate noise that can be heard from outside the premises that causes annoyance and disturbance to neighbours by playing of music by live bands or amplified music or other means between the hours of 11.00 p.m and 9 a.m.

**Permit** for the playing of amplified music stipulate: Premises must be sound proof. Must not cause nuisance to the residents

*The Authorities responsible to enforce the above regulations, as a norm, **carry out their duties during office hours. Hence after office hours , in most instances**, the responsibility to investigated noise nuisance complaints will be the police remit.*

## Catering Establishment Regulations

### Compliance & Regulatory

#### Article 40 of The Malta Travel and Tourism Services Act

**Catering:** Inspections are performed on a regular basis in these establishments. Inspections are performed by a team of two officials. Some of the inspections are performed in the evenings throughout the seven days of the week.

#### **Investigation of complaints**

Complaints can be lodged personally or by means of an e-mail or telephone call. Complaints can also be referred to the Unit

( Enforcement) When an application is lodged with the Malta Tourism Authority, one of the requirements is the conformity with the current legislation governing that activity.

Failing to obtain compliance-

#### **Take legal action when necessary:**

(3)Refer a case directly to the Commissioner of Police

#### **Refer a case directly to the Commissioner of Police of the Malta**

Article 43 - Travel and Tourism Services Act states:

(b) being in possession of a licence fails to comply with any applicable provision of this Act or with any condition, restriction or other limitation to which the licence is subject;

## Leisure Establishments – Amplified Music Permit

### **Application Form For the playing of Amplified Music in Tourism Establishments**

MALTA TOURISM AUTHORITY  
Licensing Directorate  
SCM 01 LEVEL 3  
SMART CITY  
KALKARA SCM1001

Date Received Stamp:

#### **(3) DOCUMENTARY REQUIREMENTS**

- a) Photo Copy of both sides of Applicant's I.D. Card.
- b) Copy of the Licence in respect of the property shown at Part 01.
- c) Certification by a qualified Engineer/ Engineers certifying that:
  - 1. The Installation of the Electrical and Mechanical systems is fit for the purpose.
  - 2. The Establishment is sound proof.
  - 3. The Premises has adequate exits.

**All Documentation requested in Part (A and B) in this Application Form must be submitted together with this Application for processing.**

**Please see attached checklist at the end of the Application Form**

#### **(4) CONDITIONS APPLICABLE TO ANY SUCH LICENCE WHEN AND IF ISSUED**

- a) No nuisance is to be caused to neighbors and to the public.
- b) Amplified Music shall not be played after the Establishment's period of business hours authorized by the Trade Licensing Department.
- c) The Licensee and Operator shall abide by the provisions of the relevant legislation on the playing of Amplified Music and in a particular to regulation 12 of Legal Notice 175 of 2004 and to regulation 38 of Legal Notice 1 of 2006 as amended by Legal 186 of 2007.

## Law & Order

### Noise Abatement

#### Police Act [Chapter 164]

Part II - Title I

Constitution

**4.** The main objectives of the Force are -

- (a) to preserve public order and peace, to prevent the commission of offences, to promote and enforce the observance of the laws, as a first guarantee of the rights of all persons in Malta, **even before action is needed through the judicial system** to repress, sanction or remedy any breach;
- (b) to **respond immediately** to any request for the protection and intervention of the law;
- (e) to seek **to protect the environment** as part of the common good;

#### The *Code of Police Laws* [CAP 10. 15]

**41.** (1) *No person shall play any musical or, shout in the street, shop or other public place, if so, requested by the residents for a reasonable reason, or after being so required by the Police.*

(2) No person shall - cause suffering by operating, loud speaker, amplifier or similar instrument, or generate any noise which shall be so loud as to cause a nuisance to the neighbours.

153 Any person who keeps confined any animal in any place shall take the necessary precautions to prevent the animal from causing annoyance to the neighbours by howling or otherwise.



## Law & Order

### Noise Abatement

#### Criminal Code - Chapter 9

##### Contraventions Affecting Public Order

338. Every person is guilty of a contravention against public order, who:

(m) at night time, disturbs the repose of the inhabitants by rowdiness or bawling, or in any other manner

#### Criminal Code - Chapter 9

**377.** *Court may order offender to abate nuisance.*

(3) The court may, notwithstanding any punishment to which it may sentence the offender, order him to remove any nuisance or inconvenience to which the offence relates, or, according to circumstances, to conform with the law, within a time, sufficient for the purpose but in any case, not exceeding three months from the date of the judgment,

*Abatement of nuisance by Police at the expense of offender*

(5) The court shall, upon an application to that effect by the Police at any time after that a person has been found guilty of an offence, in the event of a supervening cause or, in any other case, after the expiry of the time-limit granted by the court under sub article (3) or (4) hereof, **authorise the Police to remove any nuisance or inconvenience to which the offence relates** at the expense of the offender, in which case the offender may be made to refund the expense under a warrant issued by the said court.

Law & Order  
Noise Abatement

**1. Police : Registration of Clubs Reg.**

**Article- 9.** The Commissioner of Police may, with the approval of the Minister responsible for the Police, order the closing of any club on any of the following grounds:

(i) that annoyance to neighbours has been..... consider to be reasonable.

**1. *Police: Maintenance Of Good Order At Places Of Entertainment***

**Article- 17.**

(1) The Minister responsible for Home Affairs shall appoint a board to be styled the Health and Safety Monitoring Board.....

(2) The board shall have the right to regularly monitor all places of entertainment to ascertain that health, noise levels and safety conditions meet satisfactory standards ....

### **NASoM Website**

- ☐ Noise surveys
- ☐ Resolved noise complaints
- ☐ Malta Noisescape
- ☐ Opinion pieces

#### **Building permits:**

[Central Bank Building permits 2019-1](#)

NSO- Key figures for Malta 2019

#### **Quieter construction equipment:**

[HSE \(Quieter excavation equipment\)](#)

[EU- Cordis : Hydraulic rock splitting](#)

[Europe Hydraulic Concrete and Rock Splitter Market Report](#)

[Darda hydraulic rock splitting](#)

#### **Road Traffic Noise:**

[National Transport Plan 2025](#)

#### **EU Sources :**

<https://www.eea.europa.eu/airs/2018/environment-and-health/environmental-noise>

[EEA: Noise country facts sheets](#)

[Malta fact sheets 2017](#)

[ABC Union Law](#)