



Western Australia

Environmental Protection Act 1986

**Noise Abatement (Noise
Labelling of Equipment)
Regulations (No. 2) 1985**

Reprint 1: The regulations as at 5 November 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 5 November 2004

Western Australia

Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985

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Environmental Protection Act 1986²

Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985

1. Citation

These regulations may be cited as the *Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985*¹.

2. Interpretation

In these regulations unless the contrary intention appears —

“**acoustic output descriptor**” means the quantity obtained when the test procedure specified in paragraph (b) of the appropriate item in Schedule 3 is used;

“**equipment**” means an item of equipment described in Schedule 1.

3. Equipment to be labelled

A person shall not sell, supply or offer for sale, equipment —

- (a) the manufacture of which is completed; or

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(b) which is imported into the State for the purpose of sale, on or after a date specified in Schedule 2 for that equipment and which has not been sold or which has been sold but only for the purpose of resale, unless there is securely affixed to it in a conspicuous position, a durable label which —

(c) accords with the label description;

(d) displays the required acoustic output descriptor level which will not be exceeded by the unit when tested in accordance with paragraph (b),

of the item relating to that equipment in Schedule 3.

4. Label to be correct

A person shall not attach a label to any equipment in accordance with these regulations, unless the information on that label is correct in relation to that piece of equipment.

5. Equipment not to be altered

A person shall not alter a piece of equipment which has affixed to it a label in accordance with these regulations, so that the sound level of the equipment exceeds the labelled level of the appropriate acoustic output descriptor.

6. Inspection of equipment

Where an inspector requests to inspect a piece of equipment, or to be supplied with information relating to a piece of equipment, or both, a person shall produce the equipment for inspection, forthwith, and supply any relevant information, in writing, within 14 days of the request.

[7. *Omitted under the Reprints Act 1984 s. 7(4)(f).*]

Schedule 1

Equipment

1. “Mobile Air Compressor” — any air compressor not permanently fixed in a certain location and capable of being registered under the Road Traffic Act 1974 as a trailer or vehicle for movement on public roads.
2. “Pavement Breaker” — An air-powered device capable of being manually lifted and manoeuvred by a single operator for the purpose of breaking up rock, concrete and other similar substances, and usually attached by a flexible hose to a mobile compressor.
3. “Air-conditioner” — A split or packaged mechanical system that has a cooling capacity of less than 12 kW as determined by Australian Standard 1861-1981 that is designed to control air temperature and distribution and that may also be capable of controlling the humidity and cleanliness of air but does not include evaporative type or heating only mechanical systems.

[Schedule 1 amended in Gazette 27 Mar 1986 p. 1305.]

Schedule 2

Schedule 2

Implementation dates

1. Mobile Air Compressor — 19 July 1985.
2. Pavement Breaker — 19 July 1985.
3. Air Conditioner — 1 April 1986.

[Schedule 2 amended in Gazette 27 Mar 1986 p. 1305.]

Schedule 3

Acoustic output descriptors and labels

1. Mobile Air Compressor —

- (a) The Mean Sound Level of the unit as defined in Australian Standard AS 2221 Part 1 1979 — Engineering Method for Measurement of Airborne Sound Emitted by Compressor/Primemover Units Intended for Outdoor Use shall be displayed on a label —
- (i) with dimensions 9 cm x 10 cm;
 - (ii) having a permanent clearly visible black legend on a white background; and
 - (iii) with a format, lettering and numbering which shall approximate the relative scale of the format, lettering and numbering size given in the following example —



Schedule 3

- (b) Mean Sound Level — The test procedure to establish the Mean Sound Level shall be in accordance with AS 2221 Part 1 1979 — Engineering Method for Measurement of Airborne Sound Emitted by Compressor/Primemover Units Intended for Outdoor Use.

2. Pavement Breaker —

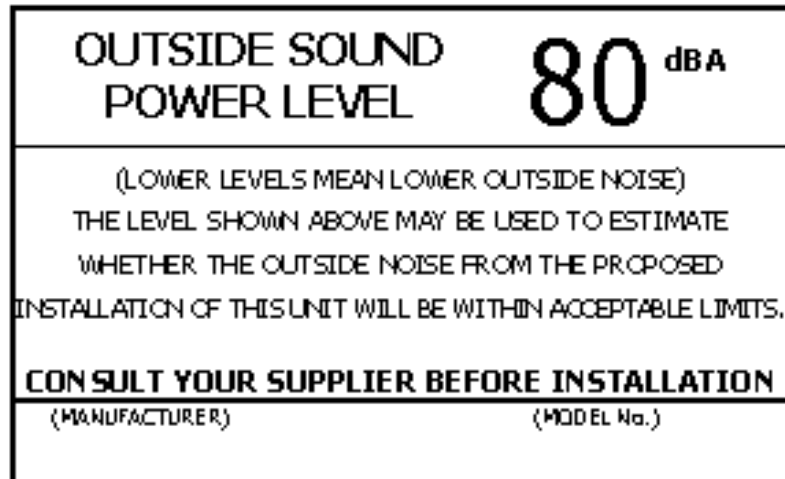
- (a) The Mean Sound Level of the unit as defined in Australian Standard AS 2221 Part 2 1979 — Engineering Method of Measurement of Airborne Sound Emitted by Pneumatic Tools and Machines shall be displayed on a label —
- (i) with dimensions 3 cm x 3.5 cm;
 - (ii) having a permanent clearly visible black legend on a white background; and
 - (iii) with a format, lettering and numbering which shall approximate the relative scale of the format, lettering and numbering size given in the following example —



- (b) Mean Sound Level — the test procedure to establish the Mean Sound Level shall be in accordance with AS 2221 Part 2 1979 — Engineering Method of Measurement of Airborne Sound Emitted by Pneumatic Tools and Machines.

3. Air-conditioner —

- (a) The A-weighted outside sound power level of the unit shall be displayed on a label —
 - (i) with dimensions 6 cm x 10 cm;
 - (ii) having a permanent clearly visible black legend on a white or polished metal background; and
 - (iii) with a format, lettering and numbering which shall approximate the relative scale of the format, lettering and numbering size (with the sound power level displayed in figures at least 1 cm high) given in the following example —



- (b) A-weighted Outside Sound Power Level — The A-weighted Outside Sound Power Level shall be determined in accordance with a method approved by the chief executive officer³.

[Schedule 3 amended in Gazette 27 Mar 1986 p. 1305-6.]

Notes

- ¹ This reprint is a compilation as at 5 November 2004 of the *Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985</i>	19 Jul 1985 p. 2549-51	19 Jul 1985
<i>Noise Abatement (Noise Labelling of Equipment) Amendment Regulations 1986</i>	27 Mar 1986 p. 1305-6	27 Mar 1986

Reprint 1: The Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985 as at 5 Nov 2004 (includes amendment listed above)

- ² These regulations were originally made under the *Noise Abatement Act 1972*. The *Environmental Protection Act 1986* Sch. 4 cl. 16 deems these regulations to have been made under that Act. They may be repealed or amended accordingly.
- ³ Under the *Acts Amendment (Public Service) Act 1987* s. 31(1)(f) a reference in a written law to “Permanent Head” is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to the chief executive officer. This reference was amended under the *Reprints Act 1984* s. 7(5)(a).