



MINISTRY OF ROADS AND TRANSPORT
EXPLANATORY MEMORANDUM TO THE CIVIL AVIATION
(ENVIRONMENTAL PROTECTION - AIRCRAFT NOISE)
REGULATIONS, 2025

Name of the statutory instrument	Kenya Gazette Supplement No. Legislative Supplement No.
Name of the Parent Act	The Civil Aviation Act (CAP 394)
Enacted Pursuant to	Section 82 of The Civil Aviation Act
Name of the Ministry	Ministry of Roads and Transport
Gazetted on	, 2025
Tabled on	

1. Purpose of the Statutory Instrument

The purpose of the instrument is to establish a legal framework for managing and mitigating aircraft noise within Kenya's aviation sector. Aircraft noise, as an environmental pollutant, can significantly impact public health, well-being, and the quality of life for communities near airports and along flight paths.

2. Legislative Context

Kenya is a signatory to the Chicago Convention on International Civil Aviation, which obligates member states to adopt ICAO's standards and recommended practices (SARPs) on environmental protection. Annex 16, Volume I of the Convention provides specific guidelines for controlling aircraft noise, including noise certification standards for aircraft and operational noise abatement measures.

Similarly, The Civil Aviation Act, Cap 394, provides the framework for regulating civil aviation in Kenya, including powers to issue regulations addressing environmental concerns. Section 7(bb) of the Act mandates the Kenya Civil Aviation Authority to take measures concerning environmental protection, and in that regard, Section 82 empowers the Cabinet Secretary to make regulations to facilitate attainment of the purpose and objectives of the Act.

3. Policy Background

Aircraft noise pollution has been identified as a major concern for communities living near airports, affecting sleep patterns, productivity, and overall well-being. The need to balance aviation growth with environmental sustainability underscores the importance of adopting stringent noise management measures.

Adopting these regulations will position Kenya's aviation sector as environmentally conscious, bolstering its competitiveness as a regional hub. The regulations will also prevent potential restrictions on Kenya's airlines and airports for failing to meet international noise standards, safeguarding the sector's economic viability.

These regulations align with the Bottom-Up Economic Transformation Agenda to the extent that they support innovation and investment in quieter aviation technologies, creating opportunities for local industries and job creation. The regulations will encourage airlines and airport operators to adopt modern noise-reducing technologies, such as quieter aircraft engines, optimized flight paths, and soundproofing infrastructure, contributing to long-term environmental and operational benefits.

The Integrated National Transport Policy, 2012, aims to create an enabling framework that will nurture the development of a safe, efficient and affordable air transport system, whilst keeping at the leading edge of technological advancement

in a rapidly changing and global environment. In addition, the Kenya Civil Aviation Authority developed procedures for development and amendment of the Civil Aviation Act, Regulations, and Technical Guidance Materials through Order CAA-O-GEN002F. The procedures provide for continuous monitoring of the aviation regulatory framework to align with ICAO SARPs through periodic review of applicable laws.

4. Consultation Outcome

In the development of the Regulations, Stakeholder engagement was held from 12th to 14th June 2024 at the Panari Hotel, Nairobi where proposed amendments to the Regulations and stakeholder comments were incorporated in the Regulations.

The list of attendees and the matrix of stakeholder comments is attached as Appendix 1.

5. Regulatory Impact Assessment

A regulatory impact assessment was prepared in respect of this statutory instrument. The Ministry received an expert opinion from the Kenya Law Reform Commission confirming that the regulatory impact statement and assessment were adequate and conformed with the Statutory Instruments Act.

6. Monitoring and Review

As part of the KCAA mandate provided under the Civil Aviation Act, KCAA shall be responsible for ensuring the implementation and monitoring of these Regulations.

Review of the regulations shall be conducted after three years or as and when there are changes in the corresponding SARPs that may require review.

7. Contact

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