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Legislation

No. 41

Noise Control Law

No. (41) of 2015

قانون السيطرة على الضوضاء

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In the Name of People

Presidency of the Republic

RESOLUTION NO. (44)

Based on what had been approved by the Parliament, in accordance with the provisions of Item (First) of Article (61) and Item (Third) of Article (73) of the Constitution, the President of the Republic decided on November 1, 2015 issuing the following law:

**NO (41) OF 2015
NOISE CONTROL LAW**



SECTION ONE DEFINITIONS, OBJECTIVES AND APPLICABILITY

ARTICLE

1

For the purposes of this law, the following terms mean the definitions associated with them.

First: Noise: Unwanted sound that affects the health and comfort of certain individuals or the general public and has a negative impact on the environment.

Second: Decibel: A logarithmic unit used to measure noise levels using a noise measuring and analysis device (dB).

Third: Noise level: The amount of noise energy emitted, measured in Decibel.

Fourth: Noise level limit: It is the highest noise level that exposure to noise sources is permitted in a specific area to protect human and the environment.

Fifth: Equivalent noise level (Leq): The regular sound level equivalent to the average of variable noise levels for a specified period of time.

Sixth: Public places: Places available for public use, such as parks, cafes, clubs, etc.

Seventh: Broadcast Medium: any device that produces sound, whether it is electrically powered or otherwise, such as a recorder, loudspeaker, television, radio, etc.



Eighth: Work environment: The location of the employee or worker and everything surrounding him/ her while he/ she is performing the tasks assigned to him / her.

Ninth: Occupational deafness: The gradual loss of hearing efficiency after an individual is exposed to noise above the permissible limits specified in Tables (1) and (2) attached to this law, and it leads to the disruption or damage of the human auditory system after several years of continuous exposure to noise.

Tenth: Public road: A paved or unpaved passage way designated for the passage of vehicles, including roadside right-of-way. The types of public roads, including expressways, main roads, secondary roads, etc., shall be determined by a statement published in the Official Gazette.

Eleventh: A worker: Any individual exposed to noise as a result of his/ her work assignment, regardless of his/ her professional classification.

Twelfth: Continuous noise in the work environment: A noise intensity level that has more than (60) sixty beats per minute.

Thirteenth: Intermittent noise in the work environment: A noise intensity level that has less than (60) beats per minute.

ARTICLE

2

This law shall be applied to the activities of the public, private, cooperative and mixed sectors.



SECTION TWO NOISE CONTROL

ARTICLE

3

The employer or the person responsible for the activity shall be obligated to do the following:

First: Identifying the noise level resulting from his/ her work or activity by measuring it using approved methods.

Second: Adhering to the national noise level limits in the tables attached to this law.

Third: Using noise-prevention devices or other means to ensure compliance with the noise level limits.

Fourth: Sending all workers to hearing-testing-specialized authorities, including the National Centre for Occupational Health and Safety, to perform the following:

- a. Initial hearing medical examinations for workers before they are employed in jobs that expose them to noise.



- b. Periodic medical examinations for workers exposed to continuous noise at least once a year and for workers exposed to intermittent noise at least once every (6) six months.

Fifth: Providing workers exposed to excessive noise above the permissible limits with the personal protective equipment for hearing system.

Sixth: Taking into account the relationship between the daily exposure period (hourly) and the permissible noise intensity level for workers according to Tables (1) and (2) attached to this law.

Seventh: Warning signs shall be placed in areas with high noise levels, indicating the necessity of using protective equipment upon their entering.

Eighth: Establishing a garage in non-residential areas that accommodates the vehicles stipulated in Item (Ninth) of Article (4) of this Law and that are required for his/ her work purposes.

Ninth: Providing noise-measuring devices with the assistance of the relevant departments.

ARTICLE

4

The following shall be prohibited:

First: Sounding alarms from all vehicles or other, except in cases where it is necessary to avoid an accident and permitted by law, such as emergency vehicles.

Second: Operating broadcasting media in public and private places in a manner that disturbs others.



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- Third: Operating loudspeakers of any kind inside public places, except with the permission of the relevant authorities.
- Fourth: Operating loudspeakers of any kind outside public places.
- Fifth: Continuation of then noise-generating craft activities in non-industrial areas after 9:00 PM until 7:00 AM.
- Sixth: Establishing crafts and workshops, such as blacksmithing and carpentry, within residential areas, except in dedicated service and craft buildings.
- Seventh: Establishing carpentry and blacksmith workshops, auto repair shops and any other noisy-creating activity in non-industrial areas that impacts users, in accordance with the standards approved by the Ministry of Environment.
- Eighth: Operating loudspeakers or similar devices in residential areas for the purpose of broadcasting an advertisements using a recorder, radio, television or musical instrument during specific hours daily.
- Ninth: Parking of Trucks and big buses or establishing garages for their night parking or parking in the alleys, and the categorization mentioned in the Order of Coalition Provisional Authority (dissolved) No. (86) of 2004 (Traffic Code) and the instructions issued thereunder shall be adopted as a standard for this purpose.



ARTICLE

5

The authorities causing noise shall conduct necessary resolutions in a manner ensures the adherence to the national limits of noise levels shown in the tables attached to this Law.

ARTICLE

6

The authorities concerned with the constructing planning of cities and streets shall take into account the provisions of this Law, regulations and instructions issued thereunder when designing the cities, streets, airports, ports and the other similar facilities.

ARTICLE

7

Baghdad Municipality and other municipalities shall undertake the following:



First: Addressing noise problems along public roads within cities by means that prevent or reduce noise, such as afforestation and placing barriers.

Second: Building multi-storey car parking garages in the crowded areas.

ARTICLE

8

Without prejudice to any more severe penalty provided by law, whoever violates the provisions of this Law, the regulations and instructions issued thereunder shall be punished by a fine of not less than (50,000) fifty thousand Dinars and not more than (1,000,000) one million Dinars.



SECTION THREE GENERAL AND CONCLUDING PROVISIONS

ARTICLE

9

The tables (1), (2), (3) and (4) attached to this Law shall be deemed as an integral part of its provisions.

ARTICLE

10

The authorities included by the provisions of this Law shall adapt their conditions in accordance with its provisions during a period no more than (18) eighteen months as of the



date of this Law's entry into force, in case of having activities that require a longer period, then their owners shall request this from the competent Ministry, and the competent Minister may extend the period not more than (12) twelve months based on a recommendation of technical competent joint committee among the relevant authorities.

ARTICLE

11

The competent Minister may, in coordination with the relevant authorities, issue instructions for facilitating the implementation of the provisions of this Law.

ARTICLE

12

Noise Prevention Law No. (21) of 1966 shall be repealed and the regulations and instructions issued thereunder shall, provided that they do not conflict with the provisions of this law, remain in effect until issuing what replaces or repeals them.



ARTICLE

13

This law shall come into effect as of the date of its publication in the Official Gazette.

Fu'ad Ma'sum

President of the Republic



APPENDIX



Table (1)

Continuous noise/ taking into account that there shall be no continuous noise exceeding (115) decibels.

Noise intensity level in decibels	80	85	90	95	100	105	110	115
Daily exposure period (hour)	16	8	4	2	1	1/ 2	1/ 4	1/ 8

Table (2)

Intermittent noise/ taking into account that there shall be no intermittent noise exceeding (150) decibels.

Intensity level of noise in decibels	150	145	140	135	130	125	120	115
Number of permissible beats per day	10	30	100	300	1000	3000	10000	30000

**Table (3)****National determinants of outdoor noise levels measured in decibels (dB)**

Location	Nighttime noise level	Daytime Noise level
1. Hospitals and rest areas	40	50
2. Residential areas within the city	50	60
3. Residential areas outside the city	45	55
4. Hotels	50	55
5. Schools, kindergartens. Universities and institutes	45	55
6. Industrial areas and public buildings	65	70
7. Services and commercial areas	60	65
8. Private areas a. Airports b. Train stations. c. Ports	60	70
9. Protected cultural and urban areas	50	60
10. Recreation areas	50	60
11. Residential areas within industrial areas and vice versa	45	60



Table (4)

Shows the national limits for noise levels inside buildings, measured in decibels (dB)

location	Nighttime noise level from 8:00 PM to 8:00 AM	Daytime noise level
1. Hospitals, schools, kindergarten and nurseries	35	50-55
2. Hotels	40	50
3. Commercial and service departments and buildings	55	60
4. Residences	45	50