

**ENVIRONMENTAL
PROTECTION AND
PRESERVATION ACT OF
MALDIVES
(Act No. 4/1993)**

Act No: 4/1993

27-10-1413 AH

19-04-1993 AD

Introduction

1. Since the environment of the Maldives is a valuable heritage that has to be preserved for the coming generations, the Maldivian land, water, vegetations, beaches, lagoons, reefs and similar places apart from these, including seas, atmosphere, and in protecting and preserving the creatures living in these places, excluding those that are harmful and pest to human being, the Maldivian government and citizens should give special attention for sustaining and extending the benefits thereof for it is crucial for the sustainable development of the Maldives.

Giving Guidance and Respecting the Guidance

2. The concerned government authorities shall provide guidelines for the steps that have to be taken for the protection and preservation of the Maldivian environment in accordance with the prevailing conditions and the needs of the country. All parties shall respect the guidelines provided by the concerned governmental authorities.

Environmental Protection and Preservation

3. Formulating all policies for the environmental protection, preservation, making regulations and enforcement of these regulations, except those that have been delegated to another governmental authority by Law, shall be carried out by the Ministry of Planning and Environment.

Places and Things to Preserve in Its Natural or Original Form

4.
 - (a) The Ministry of Planning and Environment shall identify places and things that have to protected, formulate regulations and enforce them to preserve such in their natural or original form.
 - (b) Anyone wishing to establish any such mentioned under subsection (a) shall register with the Ministry of Planning and Environment and do so in accordance with the regulations laid down by the ministry.

A Report Stating the Impacts on the Environment

5.
 - (a) A report stating the impacts on the environment should be submitted to the Ministry of Planning and Environment before

implementing any project that may have a potential impact on the environment.

- (b) The Ministry of Planning and Environment shall formulate the guidelines and decide on the assessments to be included in the report mentioned in subsection (a) stating the impacts on the environment.

The Termination of Projects

- 6. The Ministry of Planning and Environment has the authority to terminate any project that may have an undesirable impact on the environment. A project so terminated shall not receive any compensation.

Waste Disposal, Oil and Poisonous Substances

- 7. (a) Any type of wastes, oil, poisonous gases or any substance that may have harmful effects on the environment shall not be disposed within the territory of the Maldives.
- (b) In cases where the disposal of the substances stated in subsection (a), becomes absolutely necessary, they shall be disposed only within the areas designated for the purpose by the government. If such waste is to be incinerated, appropriate precautions should be taken to avoid any harm to the health of the population.

Harmful Wastes

8. Wastes that are harmful to human health and the environment shall not be disposed anywhere within the territory of the country. Permission should be obtained from the Ministry of Transport and Civil Aviation at least 3 months in advance of any transboundary movement of such wastes through the territory of the Maldives.

The Penalties for Breaching the Law and Damaging the Environment

9. (a) The penalty for minor offenses in breach of this Act or any regulations made under this Act shall be a fine ranging between Rf5.00 (five Rufiyaa) and Rf500.00 (five hundred Rufiyaa), depending on the actual gravity of the offence. The fine shall be levied by the Ministry of Planning and Environment or by another governmental authority designated by that ministry.
- (b) Except for those offences that are stated in subsection (a), all other major offenses mentioned under this Act shall carry a fine of not more than Rf100,000,000.00 (one hundred million Rufiyaa) depending on the seriousness of the offence. The fine shall be levied by the Ministry of Planning and Environment.

Compensation

10. The government of the Maldives reserves the right to claim compensation for all damages that are caused by activities that are detrimental to the Maldivian environment, including those that are mentioned in Section 7 of this Act as offences, as well as those activities that take place outside the projects which are identified in this Act as having potential impact on the environment.

Definitions

11. Under this Act
 - (a) The “Environment” means all living and non-living things that surround and affect the lives of human beings.
 - (b) A “Project” is an activity that is carried out with the purpose of achieving a certain social or economic objective.