بسسب ليذازم الزخيم

Ministry of Housing and Environment

Male'

Regulation Number: 2012/R-27

Regulation on the Preparation of Environmental Impact Assessment Report 2012

Part I – Introduction

Introduction	1.	This regulation is enacted, by the virtue of the powers conferred to the Ministry by Article 5 of Act no: 4/93 (Environment Protection and Preservation Act), and as stipulated in Article 22 of the Maldivian Constitution, that the State has a fundamental duty to protect and preserve the natural environment, biodiversity, resources and beauty of the country for the benefit of present and future generations. The State shall undertake and promote desirable economic and social goals through ecologically balanced sustainable development and shall take measures necessary to foster conservation, prevent pollution, the extinction of any species and ecological degradation from any such goals.	
Name	2.	The name of this regulation shall be "Regulation on the Preparation of Environmental Impact Assessment Report 2012"	
Purpose	3.	The purpose of these Regulations is to provide a step-by-step guidance as listed in Schedule A to these Regulations for proponents, consultants, government agencies and general public on how to obtain approval, in the form of an Environmental Decision Statement, for a Development Proposal.	
Enforcement	4.	This regulation shall come into force when this regulation is published in the government gazette. When this regulation comes into force the current "Environmental Impact Assessment Regulation, 2007" shall become void.	
Implementation	5.	This regulation shall be implemented by Environmental Protection Agency or behalf of the ministry.	
		Part II – Project Planning	
Project Planning	6.	(a) In the selection of sites or islands for economic and social development by the relevant authorities, considerations shall be given to factors as outlined in the Checklist for Sites for Economic and Social Development (Schedule B).	
		(b) Sound project planning that fully takes into account all policies and legislation, as well as the country's commitments as a Party to relevant International Conventions and Protocols, is of paramount importance for the sustainable development of the Maldives.	

- (c) An Environmental Impact Assessment or Initial Environmental Examination shall be conducted in accordance with the provisions of these Regulations, and considering the effects of a Development Proposal on the following factors:
 - (1) fauna and flora, and living components of the environment;
 - (2) soil, water, air, climate, the landscape, and the non-living components of the environment;
 - (3) the interaction between the factors mentioned in paragraphs (1) and (2);
 - (4) material assets and cultural heritage;
 - (5) impacts on the project from the environment; and
 - (6) human interactions and their interactions with the factors mentioned in paragraphs (1) to (5).

Part III – Applying for permission to proceed with the Project

7. (a) The proponent shall apply to the Ministry for an Environmental Decision Statement prior to undertaking a Development Proposal in the manner listed in Article 8 of this regulation. (b) The proponent shall be responsible for all costs and expenses incurred in the preparation of all the required documents. (c) The proponent shall pay a non-refundable administration fee when submitting Initial Environmental Examination and Environmental Impact Assessment report. This administration fee shall be pre determined by the Ministry.

- (d) The Ministry will maintain and regularly update the following document on public domain for public viewing and comments:
 - (1) a list of applications under review and the date they were submitted;
 - (2) Environmental Impact Assessment reports when submitted excluding commercial and personal information of confidential nature which in the opinion of the proponent and the Ministry is deemed confidential;
 - (3) Environmental Management Plans excluding commercial and personal information of confidential nature which the proponent and the Ministry deems confidential;
 - (4) a deadline by which the Ministry will accept public comments; and
 - (5) Environmental Decision Statements, when issued.

Screening process

8. (a) The proponents whose Development Proposals are not listed in

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Application for and Environmental Decision Statement

		Schedule D shall submit a Screening Form (Schedule C 1) to the Ministry.
	(b)	The Ministry will respond to the proponent with a Screening Decision (Schedule C3) within ten (10) working days of receipt of the completed Screening Form, informing the proponent one of the following:
		(1) Environmental Management Plan is required; or
		(2) further information is required in the form of an Initial Environmental Examination study.
	(c)	Proponents of Development Proposals listed under Schedule D shall submit an Environmental Impact Assessment Application Form (Schedule C2) together with a Project Brief not exceeding three (3) pages including the consent from the relevant authorities if the proponent wishes to proceed with the Development Proposal.
	(d)	Upon submission of the Environmental Impact Assessment Application Form as in (c) of this article, and review of the form by the ministry, if it is found that that project may cause irreversible or unacceptable damage to the environment, the ministry may inform that project be dismissed or carried forward with revisions.
Initial Environmental	9. (a)	The general format and contents of an Initial Environmental Examination study should follow those outlined in Schedule E (2).
Examination	(b)	The Decision from the Initial Environmental Examination shall be in the format in Schedule M. As such, one of the following may be decided from the Initial Environmental Examination:
		 if the ministry deems that the project may cause significant impact on the environment, than to request for the preparation of an Environmental Impact Assessment Report; or
		(2) if the ministry deems that the project would not cause significant impact on the environment, than to request for the preparation of an Environmental Management Plan.
Environmental Management Plan	10. (a)	If an Environmental Management Plan is to be prepared under this regulation, that plan should be in the format and shall include the information specified detailed in Schedule E (3) of this regulation. Further information related to the project may also be included.
	(b)	Upon submission of an Environmental Management Plan, the ministry may take one of the following actions:
		 If the Environmental Management Plan is deemed to comply with Schedule E (3), the ministry shall inform within seven (7) working days, that the project may be carried forward; or
		(2) If the Environmental Management Plan is deemed not to comply with Schedule E (3), the ministry shall inform within seven (7) working days, that the Environmental Management Plan be resubmitted after revisions, detailing the additional information required for the Plan.

Scoping process

- (c) The proponent shall follow the exact procedures described in the Environmental Management Plan. And the costs incurred shall be borne by the proponent.
- 11. (a) Proponents of Development Proposals listed under Schedule D, and those notified as per (b) of Article 9 of this regulation to prepare an Environmental Impact Assessment study, shall submit to the Ministry, an Application Form (Schedule C2) together with a Project Brief not exceeding three (3) pages including the consent from the relevant authorities if the proponent wishes to proceed with the Development Proposal.
 - (b) Within 5 (five) working days of receipt of the Project Brief, the Ministry shall confirm a date for a scoping meeting. During the scoping meeting, the main environmental issues relating to the Development Proposal shall be discussed between the designated authority by the Minister or the ministry and the proponent or proponent's designate and shall agree on a Terms of Reference. The Ministry may invite representative from other relevant authorities to take part in the scoping meeting.
 - (c) The need for a site visit or visits may be determined during the scoping meeting, and if needed the proponent shall make all necessary arrangements at the proponent's own cost and expense.
 - (d) After the scoping meeting, the proponent shall submit Terms of Reference for the Environmental Impact Assessment Report to the Ministry and the Ministry shall study and endorse the Terms of Reference as agreed by both parties and deliver a copy of the approved Terms of Reference to the proponent, within ten (10) working days.
 - (e) The Terms of Reference shall specify the time frame for the proponent to submit the Environmental Impact Assessment Report to the Ministry.

12. (a) In the event an Environmental Impact Assessment Report is required under these Regulations, an Environmental Impact Assessment Report shall be prepared in accordance with the Terms of Reference agreed between the proponent and the Ministry.

- (b) The Environmental Impact Assessment Report on a Development Proposal shall ensure that all the environmental parameters have been addressed and their consequences recognized and taken into account in the project design. The Environmental Impact Assessment report should not comprise statements of general nature but instead shall provide substantive and predictive information on the proposed activity, a realistic review of alternatives, measures proposed to mitigate all adverse impacts, as well as the opportunities for environmental, economic and social enhancement.
- (c) The general format and contents of an Environmental Impact Assessment Report should follow the general format outlined in Schedule E (1) but may also include other important project related information.

Environmental Impact Assessment Report Review of Environmental Impact Assessment Report

- (d) The proponent shall submit an electronic copy of the report according to the specifications outlined in Schedule F.
- (e) The proponent shall follow the procedures as detailed in the Environmental Assessment Impact Report, and the associated costs shall be borne by the proponent.
- 13. (a) Upon receipt of the Environmental Impact Assessment Report, the report will be checked by the Ministry for completeness using the administrative checklist in Schedule G of this regulation, and if deemed incomplete, the proponent will be notified whether the report is accepted or not within two (2) working days.
 - (b) On determination that the Environmental Impact Assessment Report is accepted, the Ministry shall appoint a minimum of two (2) reviewers. The Reviewers shall be selected according to the criteria listed in Schedule H. The Ministry shall maintain a roster of Reviewers. The identity of individual reviewers for specific Environmental Impact Assessment Report shall be kept confidential. The Reviewers shall assess the Environmental Impact Assessment Report using the prescribed form attached in Schedule I.
 - (c) The Ministry shall notify in writing to relevant authorities of the availability of the report for their views and comments. Ministry shall accept comments on the report for a period of five (5) working days from the date of this notification. In issuing the Environmental Decision Statement the Ministry shall take in to account the comments received from the relevant authorities for the Environmental Impact Assessment Report under review.
 - (d) The Ministry shall accept comments from the relevant ministries and authorities and the public on the Environmental Impact Assessment Report under review for a period of ten (10) working days after it is available for public viewing.
 - (e) In issuing the Environmental Decision Statement the Ministry shall take in to account the comments received from the general public for the Environmental Impact Assessment Report under review.
 - (f) The Ministry shall issue an Environmental Decision Statement or request for revision of the report within twenty eight (28) working days of the date when the study was determined to be complete as stated in (a) of this article.
 - (g) While the Environmental Impact Assessment report as per the format in Schedule E (1) requires the project proponent to conduct public consultation, some projects may be sufficiently controversial or complex to require further public input before an Environmental Decision Statement can be issued; in such instances the proponent will be notified and requested to arrange, and pay for a public meeting or meetings at a location or locations to be determined by the Ministry.

Issuance of an Environmental Decision Statement	14. (a)) Once the review of the Environmental Impact Assessment report is complete, and when additional public consultations, pursuant to (g) of Article 13 of this regulation, have been conducted, the Ministry shall issue the Environmental Decision Statement.	
	(b)	The format of the Environmental Decision Statement will be either:	
		(1) Approve the application conditionally by requiring the proponent undertakes various activities as the Ministry considers necessary pursuant to Schedule J; or	
		(2) Inform that Environmental Impact Assessment Report has been rejected as per Schedule K, where it is of poor quality.	
		(3) Inform that the application has been rejected as per Schedule L, where the Ministry is of the opinion that the project may have irreversible damage to the environment.	
	(c)	The Ministry shall communicate the Environmental Decision Statement to the proponent and shall publish it on the Ministry's website.	
	(d)	In the event the event the project activity has not commenced within one (1) year from the date of the Decision Statement, the Environmental Decision Statement shall be considered void.	
	(e)	In the event the project activities has been delayed for more than one (1) year, as stated in (d) of this article, due to unforeseen circumstances, the Ministry shall have the discretion to extend the duration of the Environmental Decision Statement, or to terminate it. In such circumstances the proponent shall write to the Ministry thirty (30) days before the date of expiry clearly stating out the reasons for the delay.	
Appeals	15. (a)	The proponent may lodge an appeal if aggrieved about an Environmental Decision Statement. The appeal must be made within ten (10) working days of the date the decision is communicated.	
	(b)	An appeal must be made in writing to the Minister and must contain clear reasons why the decision is not acceptable to the proponent.	
	(c)	The Minister shall appoint an officer from the Ministry to investigate the grounds of the appeal.	
	(d)	The Minister shall give a decision in writing on the appeal within fifteen (15) working days of the appeal being received. The Minister upon reviewing the reports of the investigation shall:	
		(1) dismiss the appeal in writing; or	
		(2) order to conduct a further review of the Environmental Impact Assessment Report, taking into account the grounds of the appeal and to reconsider the Environmental Decision Statement.	

Part IV - Issuance of an Environmental Decision Statement

- (e) The proponent has the discretion to withdraw an appeal in writing prior to the Minister making a decision on the appeal.
- (f) In the event the Minister considers a further review of the Environmental Impact Assessment Report the proponent shall pay a nonrefundable appeal fee of Rf. 500 (five hundred Rufiyaa). The decision by the Minister following this second (2nd) consideration of the report shall be final and conclusive.

Part V – Registration of Environmental Impact Assessment Consultants

Consultant registration	16. (a)	The Ministry shall maintain and publicize a Register of Environmental Impact Assessment Consultants together with the disciplines in which they are competent.
	(b)	No person may act as an Environmental Impact Assessment Consultant if not listed in the register stated in (a) of this article.
	(c)	Foreign nationals who qualify may also apply to be listed in the Register.
	(d)	The Ministry shall not accept work submitted by anyone who is not listed in the Register.
Registration Board	17. (a)	The Minister shall appoint a Registration Board responsible for evaluating applications for listing in the Register of Initial Environmental Examination Consultants, Environmental Management Planning Consultants, or Environmental Impact Assessment Consultants.
	(b)	The Registration Board shall consist of a minimum of three (3) Government officials and two (2) persons from the private sector. One of whom shall be appointed by the Minister as the chairperson who shall also act as the registrar.
	(c)	The Registration Board shall assess applications for registration according to criteria in Schedule O (1) of this regulation and shall determine those who, in the opinion of the Registration Board, meet the requirements and are therefore to be issued with a certificate of registration.
	(d)	The decision of the Registration Board to refuse an application for registration in the Register shall be notified in writing to the applicant, with reasons given where appropriate.
Certificate of Registration	18. (a)	Qualified persons may apply to the Ministry to be listed in the Register, by using the form in Schedule P. Such persons shall pay to the Ministry, a non-refundable fee that is published and pre-determined by the Minister.
	(b)	The Registration Board shall register a person in the Register if it is satisfied that the applicant meets the criteria defined in Schedule O (1) of this regulation.
	(c)	The certificate of registration, as in Schedule Q of this regulation, issued

		to the eligible applicant shall be valid for five (05) years. It may be renewed upon payment of fees as provided in (a) of this article, and submission of a renewal form set out in Schedule R demonstrating where they have upgraded their knowledge and experiences in Environmental Impact Assessment techniques. If in the opinion of the Registration Board, any provisions of these regulations have been violated by anyone, their renewals may be withheld.
	(d)	(1) The Registration Board may grant a temporary certificate as set out in Schedule S valid for one (1) year, for Maldivian nationals who, in the opinion of the Registration Board, has the appropriate qualifications according to the criteria outlined in Schedule O (2) but does not have sufficient experience in the relevant discipline or in Environmental Impact Assessment techniques. Those who are issued Temporary Certificates shall work under a holder of Environmental Impact Assessment Consultant Certificate, and reports submitted shall include the signature of both parties.
		(2) The Registration Board may grant a temporary certificate as set out in Schedule S valid for one (1) year, for Environmental Impact Assessment of a specific project for Foreign nationals who, in the opinion of the Registration Board, has the appropriate qualifications and expertise according to the criteria outlined in Schedule O (2). This certificate shall become void upon the release of Environmental Decision Statement from the Ministry in response to the Environmental Impact Assessment Report of that project.
Cancellation of Certificate of	19. (a)	The Registration Board may cancel any certificate granted under the provisions of these Regulations when the holder of that certificate:
Registration		 has submitted fabricated or manipulated data, false information or false documentation as evidence or violation of regulations; or
		(2) is found guilty of any offence under the provisions of the stated Act or of any Regulations thereof; or
		(3) has, in the opinion of the Ministry, the other relevant Ministries and the Registration Board, submitted repetitively substandard, plagiarized or deliberately misleading Initial Environmental Examination Reports, Environmental Management Plans or Environmental Impact Assessment Reports; or
		(4) received the certificate under this regulation, by submitting false or misleading information.
		Part VI – Penalization
Penalization	20. (a)	Any proponent who commits the following offences shall be liable to a fine not exceeding Rf. 200,000 (two hundred thousand Rufiyaa). Information of those who are penalized under this article shall be

publicized.

- fails to prepare an Initial Environmental Examination report, Environmental Management Plan or Environmental Impact Assessment report when such a report is determined to be necessary;
- (2) fraudulently makes a false statement on an Initial Environmental Examination report, Environmental Management Plan or Environmental Impact Assessment, or any other related documents;
- (3) fails to undertake environmental monitoring as determined in the Environmental Decision Statement;
- (4) misrepresents or fails to report environmental monitoring results;
- (5) conducts a Development Proposal without an approved Environmental Decision Statement;
- (6) fails to abide a cessation order issued by the Minister or an enforcement officer; or
- (7) fails to abide by a remediation order issued by the Minister or his designate; or
- (8) fails to complete necessary administrative procedures and submits false information; or
- (9) violate any article of this regulation.
- (b) Not withstanding the provisions in (a) of this article, if an act or omission by any person results in environmental damage, such person shall be liable to a fine established in the Environment Protection and Preservation Act of Maldives (Act no: 4/93) and Regulation for the determination of penalties and obtaining compensation for damages caused to the environment (Regulation no. R-9/2011) enacted thereof.
- (c) Submitting of false information for the purposes of obtaining the Registration Certificate or enlisting in the Register is an offence. Any such party shall be fined by an amount not greater than Rf. 100,000 (one hundred thousand Rufiyaa).
- (d) Violation of any article of this regulation, by a consultant, is an offense. If the board finds a consultant guilty of such an offence, the consultant shall be fined by an amount not great then Rf. 200,000 (two hundred thousand Rufiyaa).
- (e) Any person who, not being the holder of a certificate, assumes or uses the designation "Environmental Impact Assessment Consultant", or in any manner indicates that the person is registered to prepare an Initial Environmental Examination, Environmental Management Plan or Environmental Impact Assessment in the Maldives shall be guilty of an offence and shall, on conviction, be liable to a fine not greater than Rf. 100,000 (one hundred thousand Rufiyaa) for the first offense and in respect of a second or subsequent offence to a fine not greater than

		Rf. 150,000 (one hundred and fifty thousand Rufiyaa).
	(f)	The offences and penalties mentioned in these Regulations shall be without prejudice to any other offences and penalties in terms of the Environmental Protection and Preservation Act or any other law.
		Part VII – Immunity
Immunity	21. (a)	No civil or criminal liability in respect of an approval of a project or the consequences resulting from an approved project shall be incurred by anyone acting in an official capacity on behalf of the Ministry by reason of the approval, rejection or any condition attached to the approval.
	(b)	The fact that an Environmental Decision Statement has been approved shall afford no defence to any civil action or to a criminal prosecution under any enactment.
	(c)	Notwithstanding (a) of this article, where there is determined to be fraud, negligence or corruption no immunity shall exist.
Protection of Government Officers	22. (a)	A government officer or any of its representative shall not be personally liable for an act or omission, if the act or omission was made in the honest belief and good faith that the act or omission was required or authorised to discharge his functions under these Regulations.
	(b)	The protection given to a government officer by virtue of (a) of this article, does not in any way affect any liability of the Government in tort.
		Part VIII – Enforcement
Authorized Officer	23. (a)	The Minister may in writing authorize an enforcement officer to monitor environmental impacts from Development Proposals and to exercise the powers conferred on the Minister under these Regulations.
	(b)	An enforcement officer exercising the officer's power under these Regulations:
		 may obtain the assistance of persons and/or relevant authorities required for the purposes of discharging the functions under these Regulations;
		(2) shall produce the officer's identity card, together with the written authorization from the Minister stated in (a) of this article.
Power of Entry and Inspection	24. (a)	An enforcement officer, after producing of written authorizations, may enter and search a place if the officer reasonably believes that:
		 an offence against these Regulations has been or is being committed in the place;
		(2) there is in the place anything that is or is likely to constitute

		evidence that an offence against these Regulations has been or is being committed;
		(3) enter a place to measure, inspect, take samples and test as the officer reasonably believes is necessary to determine if an offence against these Regulations has been or is being committed;
		(4) enter a place to serve a notice under these Regulations.
		An authorization issued shall continue in force until the purpose, for which it was issued, is satisfied.
Cessation Order		The Minister, or his designate, may issue a cessation order requiring persons working on a Development Proposal to cease working until the order is withdrawn under the following circumstances:
		(1) an Environmental Decision Statement has not been issued;
		(2) an Environmental Decision Statement has been withdrawn; or
		(3) there has been a breach of the conditions of an Environmental Decision Statement.
		The Minister, or his designate, may issue a remediation order requiring proponent on a Development Proposal to remedy environmental damage identified by the Ministry.
		After issuing cessation order, the government may take direct action to remedy the environmental damage identified, and the Minister or his designate has the right to recover the costs of such remedial work from the project proponent.
		Part IX – Definitions
Definitions	26. In th	ese Regulations, unless the context otherwise requires
		ct means 'the Environment Protection and Preservation Act 1993' (Act /93) of the Republic of Maldives;
	'Proj	ect' means development works carried out according to feature plans;
	poss	ultant' means the Environmental Impact Assessment Consultants who esses the required qualifications in a particular environmental discipline who is registered as a consultant pursuant to these Regulations;
		ulative impact' means the contained effect on the environment of two or activities, or parts of projects, including synergistic projects;
	proje Minis	elopment Proposal' means any enterprise, activity, structure, work, ct, policy, proposal, plan or programme that may, in the opinion of the stry, have a significant environmental impact and includes modification, asion, abandonment, demolition and rehabilitation;
	'ecol	ogy' means the study of interactions of living organisms with other

individuals of their own or of different species, and with their environment;

'ecosystem' means a dynamic complex of human, plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;

'effects' include:

- (a) direct results, which are caused by an action;
- (b) indirect results, which are caused by an action or actions and are later in time or further removed in distance, but are still reasonably foreseeable; and includes growth-regulating effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air, water and other natural systems, including ecosystems;

'Environmental Decision Statement' is a written decision issued by the Minister or his designate specifying whether the Development Proposal may be accepted or rejected or the conditions under which the accepted projects may be carried out;

'Minister' shall denote the Minister who is charged with the responsibilities for the enforcement of the Act (Act no: 4/93), by the President of Maldives;

'Environmental Impact Assessment' means the process of identifying, predicting, evaluating and mitigating the biophysical, social, cumulative, economic and other relevant effects of a proposed Development Proposal;

'fauna' means all types of animals;

'flora' means all types of plants;

'habitat' means the set of locations that satisfy the resource requirements of a species and where it can fulfil its ecological needs;

'human environment' includes people the natural and physical environment and the relationship of people with that environment;

'impacts' has the same meaning as is assigned to the word 'effects' in these Regulations;

'Initial Environmental Examination' is a study that provides preliminary identification, evaluation and mitigation of the biophysical, social, economic and other relevant effects of a Development Proposal;

'Ministry' shall be the competent agency responsible for the protection of the environment, currently the Ministry of Environment and Energy. If this mandate is given to another government authority, 'the Ministry' will be ascribed to that authority;

'Mitigation' includes:

- (a) avoiding the impact altogether by not taking a certain action or part of an action;
- (b) minimizing negative impacts by limiting the degree or magnitude of the action and its implementation;

- (c) optimizing the positive impacts of development;
- (d) rectifying the impact by repairing, rehabilitating or restoring the affected environment;
- (e) reducing or eliminating the impact over time by conservation operations during the life of the action;
- (f) compensating for the impact by replacing or providing substitute resources or environments.

'natural environment' means:

- (a) natural features consisting of physical and biological formations or groups of such formations;
- (b) geological and physiographical, geomorphological, lithostratigraphical, paleontological and hydrological functions and precisely declined areas which constitute the habitat of threatened species of flora and fauna;
- (c) natural sites or precisely delineated areas of value from the point of view of science, scenic value, conservation or natural beauty.

'monitoring' means the scientific measuring and recording of physical, social and economic variables associated with development impacts.

'pollution' means the introduction by human, directly or indirectly, of any substance or energy into the environment resulting in deleterious effects of such nature as to endanger human health, harm living resources, ecosystems and material property, and impair amenities or interfere with other legitimate uses of the environment;

'Project Brief is a short document that is prepared by a proponent or the proponent's consultants that outlines the substantive issues for a scoping meeting; it should include a short description of the process for identifying key issues, impacts, alternatives and actions that should be included in the Terms of Reference (ToR) and preliminary sketch of the Development Proposal;

'proponent' means a person, department or agency who:

- (a) is seeking to carry out or proposes to carry out a Development Proposal; or
- (b) is the owner or person having charge, management or control of a Development Proposal.

'Register' means the Register of Environmental Impact Assessment Consultants established under (1) of Article 16 of this regulation.

'Registrar' means the individual who registers Initial Environmental Examination Consultants, Environmental Management Planning Consultants, or Environmental Impact Assessment Consultants according to (b) of article 17 of this regulation.

'Registration Board' means the board established under (a) of article 17 of this regulation;

'Scoping' means the process of identifying key issues, significant impacts, alternatives and actions to be included in the ToR for an Environmental Impact Assessment study;

'Screening' is a process whereby Development Proposal having little or no environmental impact are streamlined for approval and separated from projects requiring in-depth studies;

'significantly' requires consideration of both context and intensity:

- (a) context: the importance of an action shall be analyzed in several settings such as society as a whole, the surroundings of the project, the affected interests, the site of the project, and the distribution of the relevant features of archaeological, natural environment and socio-economic environment;
- (b) intensity: the severity of the impact including the following:
 - (1) impacts on environment that may be beneficial, adverse or neutral;
 - (2) the degree to which the project affects public health or safety;
 - unique or otherwise rare or valuable characteristics of the geographic area which affect its relationship with the natural environment;
 - (4) the degree to which the project affects the quality of the human environment;
 - (5) the degree to which the possible effects on the human environment are uncertain or involve unique or unknown risks;
 - (6) the degree to which the action may establish a precedent for future actions with potentially significant effects or represents a decision in principle about a future consideration;
 - (7) whether the action is related to other actions with individually insignificant but cumulatively significant impacts;
 - (8) whether the action threatens a violation of any law, regulation, guideline, standard or policy making provision for the protection of the environment;
 - (9) whether the action is permanent or reversible.

'Reviewers' means competent persons assigned by the Ministry under a contract to review and assess Initial Environmental Examination or Environmental Impact Assessment reports.

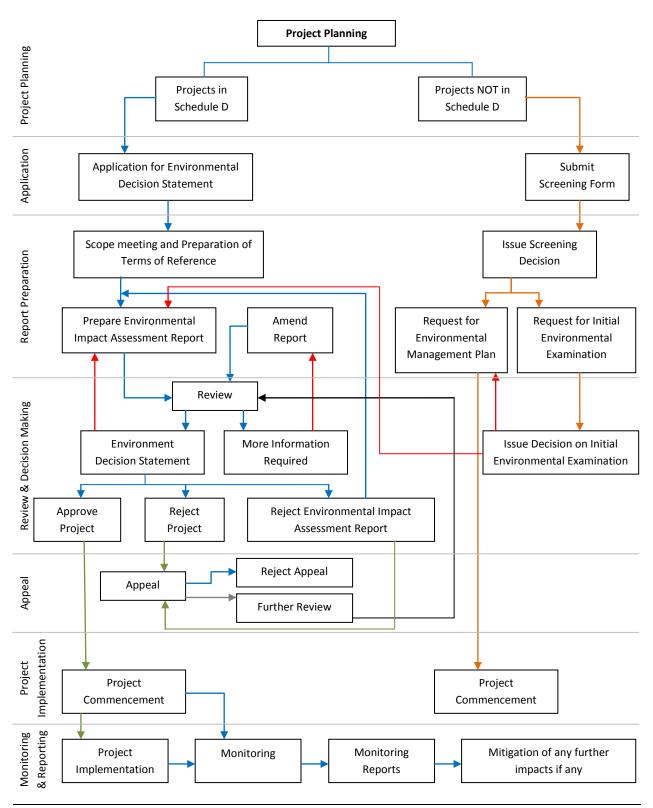
'enforcement officer' is a person who is authorised by the Minister or his designate to monitor Development Proposals and to exercise powers and conferred under these Regulations;

'Terms of Reference' are the specific items that must be included in an Environmental Impact Assessment study.

'Environmental Management Plan' means a report proposing steps to eliminate or reduce the impacts on the surrounding environment from the activities of a project.

'chart' means Geo-referenced scale charts.

Schedule A



Flow Chart Outlining the Process for the Issuance of an Environmental Decision Statement

Schedule B

Checklist for Sites for Economic and Social Development

These guidelines are designed to assist in the selection of sites and islands of economic and social development activities. Among Small Island Developing States, the Maldives is among several low-lying atoll countries that face very critical problems as the ongoing effects of climate change become manifest worldwide. Taking into account the overriding priority of government to ensure that development, and particularly economic activities are sustainable, the need to consider all relevant parameters in the selection of sites and islands for new economic development has never been more important.

Development should be in harmony with the natural environment. As such, these guidelines cover the following criteria:

- Existence or absence of critical ecosystems; the list Critical Sites shall be maintained and publicised by the Ministry;
- Capacity of the island in terms of size and shape;
- Space for a no-development buffer zone designated as per Cairo Principles ;
- Historical stability as indicated by the coverage of mature vegetation, location in the atoll, and the impact experienced from disasters;
- Marine access;
- Beach erosion history;
- Unique geographical position of the island relative to other atoll resources and infrastructure of the atoll.

<u>Checklist</u>

- 1. Existence or Absence of Critical Ecosystems
 - a. Is the site/island or its surrounding reef, or any part of the island or its reef ecosystem, included in the areas protected under Act no: 4/93 (Maldives Environment Protection and Preservation Act) or in the list of "Environmentally Sensitive Areas" list? This list shall be maintained and renewed or updated by the Ministry.

Yes. No.

If Yes, this site/island should be removed from consideration.

- 2. Island size
 - a. Is the island at least 50,000 square metres in size?

Yes. No.

If no, are there any special reasons for its selection?

b. Is the island round in shape?

Yes. No.

If it is another shape (e.g. crescent-shaped or long and thin) what is the justification for its selection:

- 3. Space for no-development buffer zone on the beach.
 - a. Is there sufficient space to maintain an undisturbed 20 metre wide band of vegetation (measured from the seaward edge inward), as a no-development zone.

Yes. No.

If No, this site/island should be removed from consideration.

- 4. Historical stability of the natural environment of site:
 - a. Is the entire island covered with thick vegetation:

Yes. No.

- b. Percentage of the island covered with mature trees: %
- c. On what side of the atoll is the island located?
- d. What kind of impacts have natural disasters had on the island?
- 5. Marine Access:
 - a. Is there a natural harbour?

Yes. No.

b. Is there an existing marine access channel?

Yes. No.

c. Is there any area suitable for anchoring?

Yes. No.

- 6. Existence of wide beaches:
 - a. Is there a continuous beach around the island?

Yes. No.

If no, what percentage of the island's coastline has a beach: %

b. Are there exposures of beach rock?

Yes. No.

If yes, what percentage of the coastline has exposures of beach rock? %

If the objective is tourism development:

c. Are there suitable places for swimming accessible from the beach?

Yes. No.

d. Are the swimming areas free of sea grass?

Yes. No.

- 7. Geographical location
 - a. Distance to the nearest airport:_____kilometres
 - b. Distance to the nearest inhabited island:_____kilometres
 - c. Distance to the nearest resort island:_____kilometres
 - d. Number of resorts in the atoll:_____
 - e. Number of resorts in the province:_____
- 8. Unique features
 - a. Are there any exceptional or unique features about this island?

Yes. No.

b. If yes, describe the details.

Schedule C (1)

Development Proposal Screening form

Form No:____

(Official Use)

This form should be filled out and submitted to the Ministry before any Environmental Decision Statement can be issued. The information provided will be used to determine one of the following:

- 1. to prepare an Environmental Management Plan;
- 2. requires further information in the form of an Initial Environmental Examination

A Development Proposal Screening Decision from the screening meeting shall be sent to the Proponent or the proponent's designate within 10 working days of receipt of the Development Proposal Screening Form. The form is divided into 2 parts. Please complete all parts.

Part 1: Proponent's Information

Name of person submitting form:	
On behalf of (company, entity or other person – if not self):	
Address:	
Telephone number:	
Fax number:	
Email:	
ID number:	
Signature:	
Date:	

Part 2: Project Description

Project Title:	
Type of development:	New development: Additions or improvement to existing development:
Location of project:	(Attach location plans, maps and photos of site)
Duration of project:	(number of months)

Natural environment of the site and the changes to be brought to the habitat or the natural environment from the project (Not less than 5 A4 sheets):	
Government agencies responsible for authorization:	
Provider of financial support for project:	
Dated schedule of project activities in chronological order (include information about equipment and machinery to be used):	
	(Please use additional sheets where appropriate)

As the proponent for the proposed Development Proposal, I guarantee that all information provided is to the best of my knowledge, is accurate and complete.

Name:	

Signature: _____

Date: _____

Schedule C (2)

Environmental Impact Assessment Application Form

Form No:_____ (Official Use)

This form should be filled out and submitted to the Ministry or designated authority prior to a request for a scoping meeting.

The form is divided into 3 parts, please complete all parts.

Part 1: Proponent's Information

Name of person submitting form:	
On behalf of (company, entity or other person – if not self):	
Address:	
Telephone number:	
Fax number:	
Email:	
ID number:	
Signature:	
Date:	

Part 2: Project Description

Project Title:	
Type of development:	New development: Additions or improvement to existing development:
Location of project:	(Attach location plans and photos of site)
Duration of project:	(number of months)
Government agencies responsible for authorization:	
Provider of financial support for project:	

Dated schedule of project activities in chronological order in not more than three (3) A4 sheets (include information about equipment and machinery to be used):	
	(Please use additional sheets where appropriate)

Part 3: Consultant's Information

Name:	
Address:	
Telephone number:	
Fax number:	
Email:	
ID number:	
Consultant's Registration Number:	
Signature:	
Date:	

As the proponent for the proposed Development Proposal, I guarantee that all information provided is to the best of my knowledge, is accurate and complete.

Name: _____

Signature: _____

Date: _____

Schedule C (3)

Development Proposal Screening Decision

This is the official document issued by	_ for the purpose of
communicating the decision after screening of	

This project is not likely to cause significant negative environmental impacts. Hence, please submit an Environmental Management Plan

Further information, in the form of an Initial Environmental Examination, is required in order to make a Development Proposal Screening Decision.

Screening Agency

Name:	Signature:	

Designation:	Date:	
Designation	 Dute.	

Note: For further information please contact:

(Name and Address)

Schedule D

List of Development Proposals Requiring an Environmental Impact Assessment Study

- Development of new tourist hotel or resort
- Additions and large-scale developments to tourist hotels and resorts
- Commercial aquaculture projects
- Fish processing facilities
- Artificial reefs
- Agriculture projects
- Livestock and animal husbandry
- Large scale deforestation
- Construction and dredging of Harbours
- Cutting, dredging and maintenance of channels
- Construction of Jetties (without water channel)
- Development of Yacht Marinas
- Land Reclamation projects
- Sea defence structures (such as seawalls, revetments, marine installation, offshore breakwaters, groynes)
- Beach nourishment
- Sand mining using machinery
- Construction of Major roads
- Development of Airports
- Helipads and Seaplane hubs
- Major housing projects
- Building structures, with more than ten (10) storeys (excluding the foundation raft) or higher than thirty one (31) metres.
- Buildings with foundation structures that cater for more than ten (10) storeys
- Buildings with basements
- Buildings with foundations deeper than five (5) feet or a foundation of a unique structure
- Development of Factories (with initial investments more than Rf. 100,000 (one hundred thousand Rufiyaa), and those registered with the relevant government authorities)
- Waste incinerators
- Landfills

- Large-scale Waste storage and separation facilities
- Bottling plants
- Drinking water supply network systems
- Sewerage projects
- Marine outfall pipes
- Power plants
- Oil, fuel and gas storage, handling and refining facilities
- Desalination plants of capacity larger than hundred and fifty (150) tonnes
- Hospitals

Schedule E (1)

Contents of an Environmental Impact Assessment Report

Format of the paper copy

Three (3) complete copies of the report should be submitted on A4 size paper, containing fold-out maps on A3 size paper. The report shall be signed by the proponent and the consultant. The Environmental Impact Assessment Report may be submitted in Dhivehi and English.

Title page

This page should contain:

- title of the Environmental Impact Assessment Report;
- location of project;
- names of individual members (including consultants) of the team responsible for the report;
- proponent's name and signature; and
- date report was completed.

Non-technical Summary

Non-technical summary should be submitted in both Dhivehi and English languages and it should:

- be concise and use simple, non-technical language;
- include an outline of the project and its location; and
- focus primarily upon selection of alternatives, key impacts and mitigation measures.

Introduction

This should provide background information on the project and its costs, the proponents and their experience with similar projects.

Terms of Reference

The agreed terms of reference for the Environmental Impact Assessment Report must be included as an annex in the report.

Project Setting

This section should indicate how the project conforms with existing plans, policies, guidelines, regulations, laws and International Conventions.

Project Description

This should describe the project and indicate the justification and rationale underlying the project, including:

- Intended duration of project
- Need and justification of project
- Ownership of land with proof thereof, or lease agreement clearly indicating the owner's consent to the project

- Project Components, its scale and details of the different components
- Location map
- Scaled site plan (at least A3 size) showing locations of all proposed infrastructure (including the entire wastewater collection, treatment & disposal system), setback of buildings from high water mark, landscaping works etc.
- Architectural plans if available, or sketches or architect's impression of the project in the receiving environment
- Indication of other similar projects in the area and reference to previous Initial Environmental Examinations, Environmental Management Plans or Environmental Impact Analysis studies relating to such projects
- Description of the expected environmental conditions at the time of probable project implementation, and associated constraints e.g. seasons and tidal regime etc.
- Description of the proposed wastewater process supported by flow diagrams
- Measures adopted to promote sustainable development (cleaner production, renewable energy systems) during both the implementation and operational phases of the project
- Work plan of activities including site preparation, infrastructure development and decommissioning
- Any Environmental Management System incorporated into the project
- Availability of water, electricity and other utility services
- Capital investment and employment opportunities
- A brief outline should be given of any planned out-of-project enhancements. This should be distinguished from mitigation measures, which are integral to the project and form part of the proposal. For example, upgrading of an access road for the public, providing community services and compensation to affected stakeholders.

Description of the Natural, Economic and Human Environment

This should include:

- Certified and comprehensive site plans drawn to scale (by a Sworn Land Surveyor) with known landmarks as reference points, and showing Valued Ecosystem Components, water bodies, wetlands, low water mark, high water mark and beach frontage
- Aerial photographs of the site
- Description of site characteristics including soil type, relief, landforms, present land use, drainage systems
- Type of flora and fauna, rare or endangered species, sensitive habitats of ecological importance including wetlands and mangroves
- Marine environment including sand and rocky bottoms, coral reefs, sea grass beds
- Beach systems; composition; stability; current, tide and wave dynamics
- Description of surrounding infrastructure, including utilities
- Socio-economic characteristics including population (numbers, ages, density, distribution), economic activities, housing and utilities, employment statistics, skill and labour availability and unique cultural characteristics
- Other attributes of the locality e.g. amenities, recreational values

Methodology

Data collection methods: description of gaps in baseline data (it is not necessary to include all the baseline data in the report, but it should be provided where necessary)

- Data collections uncertainties, estimates and forecasts
- Analytical techniques and predictive methods

Public Consultation

This is an important part of the Environmental Impact Analysis Report process and should include:

- A list of the persons consulted including persons in statutory bodies, province offices and councils, community groups and NGOs, local residents, local fishermen, tourism operators and any others likely to be affected by the proposed development
- Information on how, when and where the consultations were conducted and if the consultations were conducted in group stakeholder meetings, one-on-one meetings or in the form of written questionnaires.
- Summary of the outcome of the consultations including the main concerns identified

Assessment of the Direct and Indirect Environmental Impacts

Impacts on the biophysical, economic and human environments, including clear details of any impacts on the human well being with special emphasis on the key issues identified during the scoping process. Less important impacts should be mentioned but the amount of space devoted to them should be proportional to their perceived importance.

Evaluation of Alternatives Including No Development Option

- Identify and describe at least three alternatives, one of which should be the no-development option; define clear criteria to evaluate the alternatives, and determine the preferred alternative.
- Discuss whether the project be undertaken elsewhere, perhaps an alternative location with less adverse impacts

Selection of the Preferred Alternative and Mitigation Measures

Discuss the preferred alternative and why it was selected. Identify the major and minor environmental impacts of the preferred alternative and propose measures to mitigate the adverse environmental impacts.

Environmental Monitoring

An Environmental Monitoring Plan should be included that contains provisions made for on-site monitoring during (1) site preparation, (2) construction/implementation, and (3) decommissioning phases; as well as the longer term maintenance requirements.

The cost of the monitoring should be determined and clearly stated in the Environmental Impact Assessment report.

The environmental monitoring plan should include the following components over the different project phases (Site Preparation, Construction/implementation Phase, and Decommissioning Phase):

- Site characteristics (include plans, photographs, drawings showing the project area, any environmental sensitive receivers, beach profiles and ambient air/water/sea water qualities)
- Works involved and proposed mitigating measures to prevent negative impacts on natural environment and human habitat
- Clauses to be included in contract documents to ensure implementation of proposed mitigating measures
- Parameters to be monitored
- Monitoring methodology
- Monitoring locations and control stations
- Monitoring frequency and duration
- Persons to conduct the monitoring and undertake the data analysis and reporting. The institutional system by which monitoring data will be collected, analysed, interpreted and action taken, if necessary, to prevent or reduce unwanted impacts
- Procedures for reporting to the authorities
- Contingency plan for emergencies (e.g. uncontrolled discharge of pollutants, fire outbreak, natural calamities)
- Allocation of financial resources, for monitoring, by the developer
- Maintenance component (including building maintenance, and maintenance plans for daily and periodical maintenance of the site, water treatment plant, standby generators, etc.)

Monitoring reports should be submitted annually, with summary reports at 2-monthly intervals during implementation phase. The format of this report is provided in Schedule N.

Conclusions

This section should contain a final statement relating to the selection of the preferred alternative, the mitigation measures and the environmental monitoring that will be undertaken.

Declaration of the Consultant

I certify that the statements made in this Environmental impact Assessment study are true, complete and correct.

Name: ______

Signature:	
0	

Date:		

Appendices

These should include:

- terms of reference for the Environmental Impact Analysis report;
- additional technical information and baseline data;

- full list of references;
- names and Registration Certificate numbers of the Environmental Impact Assessment consultants; and
- CV s of any unregistered individuals who participated in the preparation of the Environmental Impact Assessment report.

Schedule E (2)

Contents of an Initial Environment Examination

Format of the paper copy

Three (3) complete copies of the report should be submitted on A4 size paper, containing fold-out maps on A3 size paper. The length of the report shall not exceed ten (10) A4 sheets and should be typed in Times New Roman font of size eleven (11) points. The report shall be signed by the proponent and the consultant. The Initial Environment Examination may be submitted in Dhivehi and English.

Title page

This page should contain:

- title of the Initial Environment Examination;
- location of project;
- names of individual members (including consultants) of the team responsible for the report;
- proponent's name and signature; and
- date report was completed.

Introduction

Project Description

This should describe the project and indicate the justification and rationale underlying the project, including:

- Intended duration of project
- Need and justification of project
- Project Components, its scale and details of the different components
- Location map
- Scaled site plan (at least A3 size) showing locations of all proposed infrastructure (including the entire wastewater collection, treatment & disposal system), setback of buildings from high water mark, landscaping works etc.
- Work plan of activities including site preparation, infrastructure development and decommissioning
- Availability of water, electricity and other utility services

Description of the Natural, Economic and Human Environment

This should include:

- Certified and comprehensive site plans drawn to scale (by a Sworn Land Surveyor) with known landmarks as reference points, and showing Valued Ecosystem Components, water bodies, wetlands, low water mark, high water mark and beach frontage
- Aerial photographs of the site
- Unique features of the site including whether the site is in a protected area or if the site is home for a protected living species

- Type of flora and fauna, rare or endangered species, sensitive habitats of ecological importance including wetlands and mangroves
- Marine environment including sand and rocky bottoms, coral reefs, sea grass beds
- Beach systems; composition; stability; current, tide and wave dynamics
- Summary of socio-economic environment

Methodology

Data collection methods: description of gaps in baseline data (it is not necessary to include all the baseline data in the report, but it should be provided where necessary)

- Data collections uncertainties, estimates and forecasts
- Analytical techniques and predictive methods

Assessing environmental impacts

If there should be any impacts to the natural environment or the human environment in addition to the following list, they shall also be detailed here.

Procedures applied for the assessments shall be included.

Environmental component	No impacts	Positive impact	Negative impact	Direct impact	Non-direct impact
Sea bed					
Water (including seawater) quality					
Marine life					
Reefs					
Sea grass beds					
Wide beaches					
Wetlands and mangroves					
Protected areas					
Vegetation					
Introduction of alien species					
Changes to the natural environment					
Air quality					
Ground water quality					
Availability of freshwater					
Noise pollution					
Public health					

Public safety			
Public transport			
Employment opportunities			
Livelihood			
Public perspectives			

Conclusions

This section should reflect on the positive and negative impacts on the environment from the project and declare if an Environmental Impact Assessment needs to be conducted or an Environmental Management Plan needs to be prepared.

Declaration of the Consultant

I certify that the statements made in this Initial Environmental Examination are true, complete and correct.

Signature: _____

Date: _____

Appendices

These should include:

- additional technical information and baseline data;
- full list of references;
- names and Registration Certificate numbers of the Initial Environmental Examination consultants; and
- CV s of any unregistered individuals who participated in the preparation of the Initial Environmental Examination.

Schedule E (3)

Contents of Environmental Management Plan

Copy of the Environmental Management Plan should be submitted on A4 size paper, containing fold-out maps on A3 size paper. The report shall be signed by the proponent and the consultant. The Management Plan may be submitted in Dhivehi and English.

Title page

This page should contain:

- Name of project;
- location of project;
- names of individual members (including consultants) of the team responsible producing the Environmental Management Plan;
- proponent's name and signature; and
- date completed.

Introduction

Environmental Management Plan should include background information on the project, including project plans, purpose, objectives and details of project schedules.

Project Description

This should describe the type of project with detailed implementation plans of the project. This should include the following:

- Project location

This should include details of project location identifying the location of planned activities of the project; scaled site plan (at least A3 size) showing locations of all proposed project components; and background information on the habitat and the surrounding environment of the project location.

- Activities of the construction and implementation phase of the project
 The details of activities during construction and implementation phase of the project should be included. It should also include:
 - Schedule of activities planned for the construction and implementation phase
 - Project timeframe. Details of any additions or extensions.
 - Types and counts of staff.
 - Equipment and machinery to be used.
 - Locations of dedicated work areas and facilities
- Project Schedule

Planned project start and end dates should be provided. If the project is distributed to phases, start and end dates for each phase should be provided.

Relation of Environmental Management Plan to Project

This should include the relationship between the Environmental Management Plan and the Project. As such, the details of studies conducted and decisions reached should be included. Summaries of communication and recommendations received from respective government authorities and related parties shall be included. Details of how the outcomes from any such discussions are incorporated into the Environmental Management Plan shall also be included.

Objectives of the Environmental Management Plan

The target objectives of the Environmental Management Plan may be presented in point form in this section. As such, regular management activities to maintain the project implementation location and associated features of the location, may be included.

Scope of Environmental Management Plan

- (a) Impact assessment and determining mitigation procedures: Possible impacts from the project should be determined and included in the Plan, including details of most appropriate conditions for mitigation procedures. The structural and non-structural mitigation procedures of the plan should be presented separately. And the stage at which the project would roll into an active phase should be detailed in the Environmental Management Plan.
- (b) Development plans: During checklist preparation, and environment assessment stages, the details of the expected profits and exposed opportunities from the project should be identified and included. Some of these opportunities may be further developed so as to benefit the surrounding environment and general living conditions. And plans for sustainable development of such opportunities shall be included in the Environmental Management Plan.
- (c) Environmental impact monitoring programmes: In order to ensure that the proposed mitigation procedures are carried at the national standards and that they do achieve their objectives, Environmental Impact monitoring programmes should be included in the Environmental Management Plan. Such programmes shall include the following:
 - 1. Measures and standards to determine the positive or negative environmental effects from each mitigation function
 - 2. Method of determining affects
 - 3. Frequency
 - 4. Measures
 - 5. Areas of survey to determine the affects
- (d) Responsible parties: responsible parties for carrying out mitigation functions and conducting monitoring programmes should be identified in the Environmental Management Plan. The interrelations and co-ordination systems between the different parties involved in the mitigation functions and monitoring programmes should be detailed in the Plan.
- (e) Schedule of activities of the Environmental Management Plan: The details of the timeframes and frequency of the different activities of the Environmental Management Plan should be included.

- (f) Reporting: The policies for reporting outcomes from mitigation functions and monitoring programme, to the relevant authorities should be detailed in the Environmental Management Plan. As such these plans should include how contractors and sub-contractors report to the proponent and how the proponent reports to the ministry, including the responsible parties for the different stages of reporting.
- (g) Expenses: The details of the costs on mitigation functions and monitoring programmes should be included.

Declaration of the Consultant

I certify that the statements made in this Environmental Management Plan are true, complete and correct.

Name: _____

Signature: _____

Date: _____

Appendices

These should include:

- additional technical information and baseline data;
- full list of references;
- names and Registration Certificate numbers of the Environmental Management Plan consultants; and
- CV s of any unregistered individuals who participated in the preparation of the Environmental Management Plan.

Schedule F

Guidelines for Submitting an Environmental Impact Assessment Study in Electronic Format

To allow for more transparency and stakeholder involvement, Environmental Impact Assessment reports shall be made available on the Ministry's website. Applicants shall submit same in paper versions and electronic format at the same time.

Specifications for the Electronic Version

- The electronic version should be identical to the paper copy and submitted on a CD
- The document must be divided into its different chapters with each chapter in a separate file. If a chapter exceeds 50 MB, then it should be further broken down into files of less than 50MB
- The title page and list of contents should be submitted in a separate file
- The non-technical summary should be submitted in a separate file
- The table of contents should provide links to the different chapters including the executive summary and appendices; the contents should accurately reflect the chapter titles, headings, sub-headings and appendix titles of the text so as to allow the user to know which file s/he is accessing
- All filenames should be less than 8 characters, be in small letters, and start with an alphabet
- The pages must be numbered
- The report must be submitted in html or pdf format; all image files must be in the gif/jpg format
- The implementing agency shall open the electronic file in the presence of the individual submitting the report in order to ensure that it is the same as the paper copy.

Schedule G

Administrative Checklist for Completeness of an Environmental Impact Assessment Study

1.	Title of report:			
2.	Proponent:			
3.	Name of consultants preparing the report:			
4.	Are the individual consultants listed in the Register of Environmental Impact Assessment Consultants?			
	Yes. No.			
5.	Report reference number:			
6.	Received Date:			
7.	Name of person submitting this form and date:			
	Name: Date:			
8.	Number of paper copies submitted:			
9.	Format of electronic version:			
10.	0. Does the report contain a non-Technical Summary and the Terms of Reference?			
	Yes No			
11.	Does the report contain a description of the proponents?			
	Yes No			
12.	Does the report contain a description of the project?			
	Yes No			
13.	Does the report have the following:			
	Location plan:	Yes.	No.	
	Scaled site plan including all infrastructures:	Yes.	No.	
	Architectural drawings:	Yes.	No.	
14.	Does the report describe the natural and human environm	nents?		
	Yes No			

15.	15. Does the report describe the methodology used?				
	Yes	No			
16.	16. Does the report include stakeholder consultation?				
	Yes	No			
17.	Does the re	eport assess the likely impacts?			
	Yes	No			
18.	Does the re	eport present and evaluate alternatives	?		
	Yes	No			
19.	Does the re	eport recommend one of the alternativ	es and propose mitigation measures?		
	Yes	No			
20.	Does the re	eport provide an environmental monito	ring plan, and a cost for the monitoring?		
	Yes	No			
21.	21. Does the report include the CV s of team members who prepared it?				
	Yes	No			
	A "No" for	questions 10-21 requires the IEE/EIA be	e referred to a senior officer for immediate advice.		
	Report acc	epted for full review:			
	Name & Si	gnature: D	ate:		
	Report not accepted for full review and returned to proponent for further information:				
	Name & Si	gnature:	Date:		
	Name & Si	gnature of senior staff:	Date:		

Schedule H

Criteria for Reviewers of an Environmental Impact Assessment Study

A reviewer for an Environmental Impact Assessment must fulfil the following requirements:

- He or she must have no involvement whatsoever in the preparation or data collection of the particular Environmental Impact Assessment report beyond that which is required as an official of the Ministry, while participation in scoping meetings
- He/she must be qualified in environmental management and have a minimum qualification of a first degree from a recognised university.
- Minimum of 5-years working experience in a field related either directly or indirectly to environmental management.

Schedule I

Review Form for Environmental Impact Assessment Study





(Name of office) Republic of Maldives

Review Form for Environmental Impact Assessment Study

(CONTENTS OF THIS FORM ARE CONFIDENTIAL)

Title of report:

Date of report:

Date review completed:

Review grading:

- a. Very good or Yes (Prepared to completion)
- b. Good (Missing minor details)
- c. Acceptable (Some details missing)
- d. Below acceptable standard (Important details missing)
- e. Very Low or No (Required information missing)
- f. No score (Not enough information for review)
- g. Unrelated (Not related to the project's Terms of Reference)

Review Criteria	Grade	Comments
1. REPORT SUMMARY	•	
Are the main areas of the report included the summary?		
Are the mitigation methods in response to negative environmental impacts included?		
Are the main resolutions of the report included?		
2. INTRODUCTION	•	
Does the project fulfil its purpose? (Project rationale and objectives)		
Does it include a summary of methods used to analyze environmental impacts from the Project?		

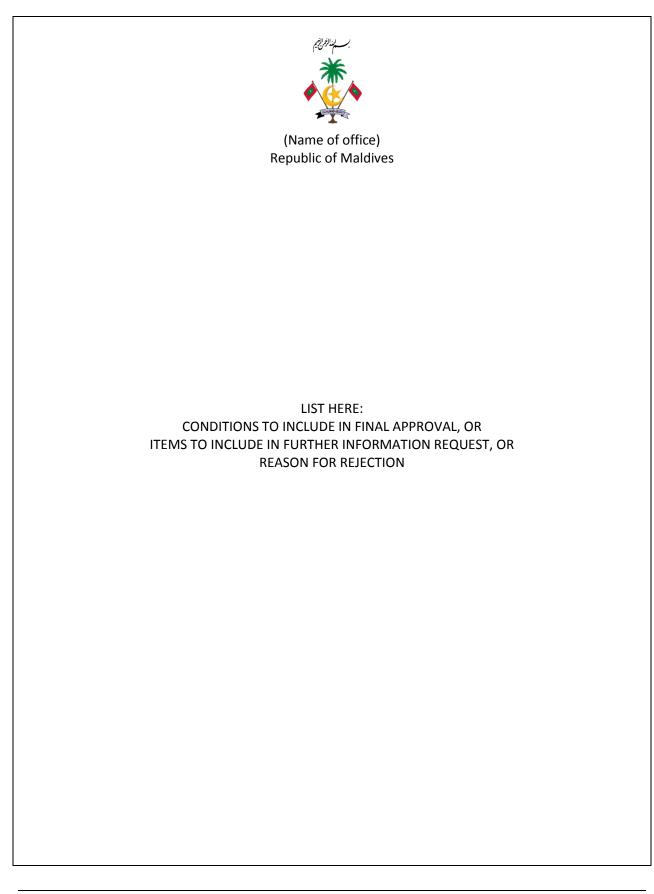
Has other similar projects been reviewed and included?	
3. DESCRIPTION OF THE PROPOSED PROJECT	
Are the terms of reference for this Environmental Impact Assessment study included (Annexed):	
Has there been a full consideration of any significant environmental impacts from the project activities?	
Is the duration and scheduling of the proposed activities clearly stated:	
Are the boundaries of the areas affected clearly defined?	
Does the report contain a location plan, scaled site plan showing all aspects of proposed project, architectural drawings or sketches:	
Are all project inputs (human resources, machinery, construction equipment) described:	
Is the need for the project explained, and are the objectives clearly stated:	
Are the types and quantities of all outputs, and methods to maintain them described?	
Are there any associated dangers from the specific type of project, and if so, are there ways described to overcome those dangers?	
Does the information in the report tally with the proposed Project plans?	
4. POLICY AND LEGISLATIVE FRAMEWORK	
Does it conform to environmental policies, laws and regulations and describe the relation of the project to these regulations?	
Does the proposed development conform to environmental and developmental policies, plans, laws, regulations and international conventions?	
Is there clear evidence that the Proponent has applied for all necessary statutory authorizations? (Example: beach nourishment, safe waste management system)	
5. EXISTING ENVIRONMENT	· ·
Are the uncertainties in data collection identified? (Base maps used for data collection may be included)	
Were the methods described in the Terms of Reference	

used for collecting baseline data?	
Are all aspects of the impacts on the natural environment from the project thoroughly examined?	
Are all aspects of the impacts on the societal structure (economic, social, cultural, health) from the project thoroughly examined?	
Are all aspects of the relationship between the environment and human resources thoroughly examined as per the Terms of Reference of the project? If not, are there justifications for the alternatives chosen?	
Have relevant data and information sources (published and 'grey' literature) been examined and referenced?	
6. PUBLIC CONSULTATION (IF INCLUDED IN TERMS OF REFE	ERENCE)
Does the report specifically identify all stakeholders including the public who will be affected by the project and have they been consulted?	
Are there documentations of the consultations? Are the methods used for consultations, described?	
Are the methods used for consultations as specified in the Terms of Reference? If not, are there justifications for chosen alternatives?	
Are the main outcomes from the consultations included in the report?	
7. IMPACT PREDICTION AND IDENTIFYING MITIGATION ME	EASURES
Are the described negative impacts on environment prepared using a checklist after screening the most impactful items?	
Are the non-direct impacts and total impacts screened?	
Are the screening methods for direct, non-direct and total impacts described?	
Are the limitations of these methods defined?	
Are the impacts from the Project identified?	
Are the methods used to measure the scale of the impacts from the project, identified?	
Are the reasons for the choice of impact assessment methods, described?	

8. MITIGATION	
Have adequate mitigation methods been proposed and discussed for all adverse impacts?	
Are mitigating measures defined in specific, practical terms (i.e. costs. manpower, equipment, timing and technology needed) and evaluated for their effectiveness?	
Are the remedial effects from mitigation measures realistic compared to the associated costs of mitigation?	
Does the proponent clearly express a commitment and capability to carry out mitigation measures?	
9. ALTERNATIVES TO THE PROPOSED DEVELOPMENT PROJE	СТ
Have realistic alternatives to the proposed development been discussed and evaluated? Has a no-development option been considered?	
If an alternative location has been proposed, has the current environmental condition of that location been described?	
Have the environmental impacts and related mitigation measures from proposed alternatives been described?	
Is the process for selecting the preferred alternative clearly defined?	
10. MONITORING	
Is there a monitoring program to assess the impacts of mitigation measures?	
Has there been an identification of measurable environmental resources?	
Is the monitoring programme prepared in accordance with the data collection and presentation protocols specified in the Terms of Reference?	
Are the samples used for the determining the full impacts on the environment realistic enough?	
Are the study systems and quality control systems designed to acceptable standards?	
Does the report clearly show the cost of the monitoring program? Does it describe who would be responsible to implement the monitoring program?	
Are there formats and schedules for reporting the	

monitoring program?		
11. REPORT QUALITY		
Is the report complete, ordered, and numbered including tables and graphs?		
Does the report provide justifications / evidence for the information reported?		
Are the chosen methods for monitoring impacts on environment appropriate and acceptable?		
Is any additional information required to complete the report?		
12. SUMMARY AND RESULTS		
Does the outcome from the Project justify its go ahead?		
Is there a summary of the mitigation measures?		
Are any irreversible damages from the project described?		
Is there a clear program to monitor the location once the project implementation is complete?		
Does the information provided in the report appropriate enough to make a decision on the project?		
13. REFERENCE AND APPENDICES	• • •	
Are there appropriate references to technical information?		
Are the references reliable and up-to-date?		
Do the annexes provide relevant information?		
Are the contact details of the stakeholders and other consulted parties in preparing the report, included?		

ب بدالة للتي ب ب			
(Name of office) Republic of Maldives			
Recommendation on this Environmental Impact Assessment report is:		Approve report (attach conditions on following sheet)	
		Request further information (Request for further information on those with grades below 'c') (Describe the reasons on following sheet)	
		Reject the Report (include reason for rejection and to revise for resubmission)	
Name of Reviewer:			
Signature:	Date	review completed:	



Schedule J

Environmental Decision Statement (Approval)



(Name of office) Republic of Maldives

Date of issue:

This Environmental Decision Statement is issued for the purpose of communicating the decision regarding the Environmental Impact Assessment for (name of report), (island), () Atoll, Maldives that was submitted on (date of submission) for evaluation.

- This Environmental Decision Statement has been issued on behalf of the (name of ministry) (hereinafter referred to as the Ministry) pursuant to the Regulation on the Preparation of Environmental Impact Assessment Report 2012 to advice that the Ministry has decided that the proposed Development Proposal can proceed.
- 2. The decision has been made by the Ministry on the following conditions:
 - i. In the event the project activity has not commenced within one (1) year from the date of issue, this Environmental Decision Statement and the permission granted in paragraph 1 of this statement shall be considered null and void.
 - ii. In the event the project activities has been delayed for more than one (1) year due to unforeseen circumstances, the Ministry shall have the discretion to extend the duration of the Environmental Decision Statement, or to terminate it. In such circumstances the proponent shall write to the Minister for an extension thirty (30) days before the date of expiry clearly stating out the reasons for the delay.
 - iii. The Minister, or his designate, may issue a cessation order requiring persons working on a Development Proposal to cease working until the order is withdrawn, if:
 - a) this Environmental Decision Statement has been withdrawn; or
 - b) there has been a breach of the conditions of this Environmental Decision Statement.
 - iv. The proponent shall submit the required information which is given in the Annex I.
 - v. It is the proponent's responsibility to undertake all project activities in accordance with the relevant laws and regulations of the Maldives.

- vi. The proponent shall submit environmental monitoring report as outlined in paragraph 10 of this Environmental Decision Statement.
- vii. A special permission from the concerned government agencies shall be obtained if the proponent plans to use coral sand for construction of the resort.
- viii. The proponent is aware that under the National Environment Protection Act (Act no: 4/93) and the Regulation on the Preparation of Environmental Impact Assessment Report 2012, the Ministry reserves the right to terminate any activities without compensation if found that such activity has caused significant, irreversible impacts on the environment.
- ix. All mitigation measures proposed in the Environmental Impact Assessment report for the construction phase and operational phase that are described in the report shall be fully implemented.
- x. The environmental monitoring program stipulated in the Environmental Impact Assessment Report shall be undertaken and implemented and summary environmental monitoring reports shall be regularly submitted to the Ministry or its designated authority.

Annex 1: Information Requirement

(if necessary)

1._____

2._____

This document has been authorized on behalf of (Name of office), by:			
Name:	_ Authorized Letter No:		
Designation:	_ Date of Issue:		
Signature:	_ Date of Expiry:		

Schedule K

Environmental Decision Statement (Environmental Impact Assessment Report Rejection)



(Name of office) Republic of Maldives

Date of issue:

This Environmental Decision Statement is issued for the purpose of communicating the decision regarding the Environmental Impact Assessment for (name of report), (island), () Atoll, Maldives that was submitted on (date of submission) for evaluation.

- This Environmental Decision Statement has been issued on behalf of the (name of ministry) (hereinafter referred as the Ministry) pursuant to the Regulation on the Preparation of Environmental Impact Assessment Report 2012 to advice that the Ministry has decided to reject the Environmental Impact Assessment report for the proposed Development Proposal. Reasons for rejection have been given in Annex 1.
- The proponent may lodge an appeal if aggrieved about this Environmental Decision Statement. The appeal must be made within ten (1 0) working days of the date this decision is communicated.
- 3. The appeal must be made in writing to the Minister and must contain clear reasons why the decision is not acceptable to the proponent.
- 4. In the event the Minister considers a further review of the Environmental Impact Assessment reports the proponent shall pay a non-refundable appeal fee of Rf. 500 (five hundred Rufiyaa). The decision by the Minister following this second consideration of the report shall be final.
- 5. The proponent has the discretion to withdraw an appeal in writing prior to the Minister making a decision on the appeal.

Annex 1: Reasons for rejection (if necessary)	
1	
2	
This document has been author	rized on behalf of (Name of office), by:
Name:	_ Authorized Letter No:
Designation:	Date of Issue:
Signature:	_ Date of Expiry:

Schedule L

Environmental Decision Statement (Development Proposal Rejection)



(Name of office) Republic of Maldives

Date of issue:

This Environmental Decision Statement Is issued for the purpose of communicating the decision regarding the Environmental Impact Assessment for (name of report), (island), () Atoll, Maldives that was submitted on (date of submission) for evaluation

- This Environmental Decision Statement has been issued on behalf of the (name of ministry) (hereinafter referred as the Ministry) pursuant to the Regulation on the Preparation of Environmental Impact Assessment Report 2012 to advise that the Ministry has decided to reject the proposed development Proposal. Reasons for rejection have been given in Annex 1.
- The proponent may lodge an appeal if aggrieved about this Environmental Decision Statement. The appeal must be made within ten (10) working days of the date this decision is communicated.
- 3. An appeal must be made in writing to the Minister and must contain clear reasons why the decision is not acceptable to the proponent.
- 4. In the event the Minister considers a further review of the Environmental Impact Assessment reports the proponent shall pay a non-refundable appeal fee of Rf. 500 (five hundred Rufiyaa). The decision by the Minister following this second consideration of the report shall be final.
- 5. The proponent has the discretion to withdraw an appeal in writing prior to the Minister making a decision on the appeal.

Annex 1: Reasons for rejection (if necessary)	
1	
2	
This document has been author	rized on behalf of (Name of office), by:
Name:	_ Letter No:
Designation:	Date of Issue:
Signature:	_ Date of Expiry:

Schedule M

Environment Decision Statement on Initial Environment Examination

This Environmental Decision Statement is issued	_ for the purpose of
communicating the decision from Initial Environmental Examination in relati	on to

It is the opinion that this project may cause significant negative impacts on the environment. Therefore, please submit an Environmental Impact Assessment Report.	
It is the opinion that this project would not cause significant negative impacts on the environment. Therefore, please submit an Environmental Management Plan.	

Office:	
Name:	Signature:
Designation:	Date:

Schedule N

Format of Environmental Monitoring Reports

Reporting on environmental monitoring activities during the site preparation, construction and decommissioning phases should be completed as follows:

- summary reports at 2-monthly intervals
- final report at the end of the decommissioning phase or as specified in the Environmental Impact Assessment Report.

Summary monitoring reports should contain the following information:

- Title of project, date and name of Consultants
- Summary of parameters measured, methods, equipment, location, frequency and the summary of the results
- Highlight and discuss any unusual and/or significant results that may be of concern based on the content of the Environmental Impact Assessment report.

Final reports should contain the following:

- Title of project, date and name of Consultants
- An executive summary
- Basic information on the project
- Drawings and plans as appropriate showing the project area, any environmental sensitive receivers and the locations of monitoring and control stations
- Discussion on the implementation of the mitigating measures and pollution control measures
- Parameters monitored; methodology used; environment quality performance standards & limits, and any environmental changes monitored
- Monitoring results including date, time frequency and duration.
- Presentation of monitored parameters (preferably graphical plots of trends)
- Constraints and any factors which might have affected the monitoring results
- A summary of non-compliance of the environmental quality performance limits and discussion of their implications
- Description of the actions taken in the event of non-compliance
- A summary record of all complaints received (written or verbal) for each media, including locations and nature of complaints, liaison and consultation undertaken, actions and follow-up procedures taken
- A forecast of the works programme, impact predictions and monitoring schedule for the remainder of the project
- comments, recommendations and conclusions for the monitoring period.

Schedule O (1)

Criteria for Registration for Consultants for Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment

- 1. Shall have achieved a first degree from a recognized university (a university recognized by the government) in any field of environmental studies or environmental management.
- 2. Shall not be an employee of the ministry or the implementing agency, receiving non-practicing allowance.
- 3. Have received a consultant's Temporary Certificate and has worked with a consultant on five Environmental Impact Assessments in the Maldives.
- 4. working experience in the field of environmental management or conservation.

Schedule O (2)

Criteria for Registration for Temporary Consultants for Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment

1. Shall have achieved a first degree from a recognized university (a university recognized by the government) in any field of environmental studies or environmental management.

Schedule P

Application form for the registration for Consultants for Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment



Stick a passport photo taken not before six months ago

Application form for the registration for Consultants for Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment

Complete the boxes below in clear readable letters with Black or Blue ink. For "yes" or "no" questions, indicate the response with an "X" in the appropriate box.

1. Applicant Details

••	
Title: Mr. Mrs. Ms. Dr. Other.	
Family Name (as shown on passport):	
Given Names (as shown on passport):	
Gender:	Male: Female:
Date of Birth: (day/month/year)	Age:
Country of Citizenship:	
Identity Card Number:	
Passport Number (foreign nationals only):	
Work Permit Number (foreign nationals only):	Expiry date:
	(day/month/year)

Address for correspondence:

Please give contact details where you can be contacted when a decision is reached.

Email address:

Address:

Country:		
Telephone numbers (please include country and area codes if necessary).		
Home:		
Work:		
Cellular/ Mobile phone:		
Fax:		
2. This application is for		

A regular Registration Certificate	
A temporary Registration Certificate	

3. Academic qualification

Please provide details of all tertiary education undertaken.

Name of Education	Start & End	Major field or	Qualification
Institute / Country	dates	subjects	obtained

A certified copy of all official transcripts and certificates must be included with application form.

4. Employment Records

Please provide details of work experience in a field related directly or indirectly to environment management.*

Title of the most recent position held:	
Number of years employed:	
Name of employer organization:	
Address of employer organization:	
Telephone number:	

Type of organisation (e.g. Government, industry, business, etc):

Briefly describe your organisation, and your current duties/ responsibilities (up to 100 words): Please use additional sheets if needed

* If experience in a field related to environmental management and/or environmental conservation has been gained with more than one employer please include on a separate sheet.

5. Previous experience on the preparation of Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment

Please provide details of professional involvement with Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment in Maldives or another country. List five separate projects where you have had a significant professional involvement; list the name and date of the study, the location, the project proponent and a contact telephone number, and the nature of your involvement in the study.

6. Referees

Applicants must include three (3) referees as per application information.

(I)	Name of referee:			
	Referee telephone number:		Email:	
	Title of current position held by	referee:		

	Name of organization referee employed with:
	Length of time/professional relationship to applicant (e.g. Direct supervisor, lecturer):
(11)	Name of referee:
	Referee telephone number: Email:
	Title of current position held by referee:
	Name of organization referee employed with:
	Length of time/professional relationship to applicant (e.g. Direct supervisor, lecturer):
(111)	Name of referee:
	Referee telephone number: Email:
	Title of current position held by referee:
	Name of organization referee employed with:
	Length of time/professional relationship to applicant (e.g. Direct supervisor, lecturer):

7. Documentary Evidence

Required documentation: please tick if you have attached the following documents in support of your application. (Application with incomplete documents will be rejected).

TWO (2) ORIGINALS of the completed application form are required.	Yes	No
• Copy of identity card		
 Copy of passport personal information page (foreign nationals only) 		
 Copy of work permit (foreign nationals only) 		
Curriculum Vitae 1 Resume		
 Certified copy of degree certificates in original language 		
• Certified copy of official university level transcripts of results in original language		
 3 Original passport size photo in colour (1 photo attached to this form) 		
Copy of the application payment receipt		

8. Applicant's Declaration

I certify that the statements made in this application for an Environmental Impact Assessment Consultant are true, complete and correct. I understand that provision of false or/and misleading information will result in cancellation of registration certificate.

Full name:		
Signature:	Data:	
	Date:	
	(day/month/year)	

Note: The completed form and required documents should be submitted to (Address)

For Office Use Only		
Received by (full nam	e):	
Date:	(day/month/year)	
Time:		
Signature:		

Schedule Q

Certificate of Registration as an Initial Environment Examination, Environmental Management Planning or Environmental Impact Assessment Consultant



Passport photo

(Name of office) Male', Maldives

This is to certify that

(Name) (Registration no:)

is hereby registered as an Initial Environmental Examination, Environmental Management Planning and Environmental Impact Assessment Consultant

pursuant to (1) of article 16 of the Regulation on compilation of Environmental Impact Assessment Report 2012.

Address:

ID card number:

Issued date:

Expiry date:

Registrar:

Schedule R

Application form for the renewal of registration of Consultants for Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment



Stick a passport photo taken not before six months ago

Application form for the renewal of registration of Consultants for Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment

Complete the boxes below in clear readable letters with Black or Blue ink. For "yes" or "no" questions, indicate the response with an "X" in the appropriate box.

1. Applicant Details

••	
Title: Mr. Mrs. Ms. Dr. Other.	
Family Name (as shown on passport):	
Given Names (as shown on passport):	
Gender:	Male: Female:
Date of Birth: (day/month/year)	Age:
Country of Citizenship:	
Identity Card Number:	
Passport Number (foreign nationals only):	
Work Permit Number (foreign nationals only):	Expiry date:
	(day/month/year)

Address for correspondence:

Please give contact details where you can be contacted when a decision is reached.

Email address:

Address:

Country:		
Telephone numbers (please include country and area codes if necessary).		
Home:		
Work:		
Cellular/ Mobile phone:		
Fax:		
2. This application is for		

A regular Registration Certificate	
A temporary Registration Certificate	

3. Academic qualification

Please provide details of all tertiary education undertaken.

Name of Education	Start & End	Major field or	Qualification
Institute / Country	dates	subjects	obtained

A certified copy of all official transcripts and certificates must be included with application form.

4. Employment Records

Please provide details of work experience in a field related directly or indirectly to environment management.*

Title of the most recent position held:	
Number of years employed:	
Name of employer organization:	
Address of employer organization:	
Telephone number:	

Type of organisation (e.g. Government, industry, business, etc):

Briefly describe your organisation, and your current duties/ responsibilities (up to 100 words): Please use additional sheets if needed

* If experience in a field related to environmental management and/or environmental conservation has been gained with more than one employer please include on a separate sheet.

5. Previous experience on the preparation of Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment

Please provide details of professional involvement with Initial Environmental Examinations, Environmental Management Plan and Environmental Impact Assessment in Maldives or another country. List five separate projects where you have had a significant professional involvement; list the name and date of the study, the location, the project proponent and a contact telephone number, and the nature of your involvement in the study.

7. Documentary Evidence

Required documentation: please tick if you have attached the following documents in support of yourapplication. (Application with incomplete documents will be rejected).TWO (2) ORIGINALS of the completed application form are required.YesNo

Copy of identity card	
 Copy of passport personal information page (foreign nationals only) 	
 Copy of work permit (foreign nationals only) 	
Curriculum Vitae 1 Resume	
 Certified copy of degree certificates in original language 	
• Certified copy of official university level transcripts of results in original language	
 3 Original passport size photo in colour (1 photo attached to this form) 	
Copy of the application payment receipt	

8. Applicant's Declaration

I certify that the statements made in this application for an Environmental Impact Assessment Consultant are true, complete and correct. I understand that provision of false or/and misleading information will result in cancellation of registration certificate.

Full name:		
Signature:		
	Date:	
		(day/month/year)

Note: The completed form and required documents should be submitted to (Address)

For Office Use Onl	y
Received by (full nar	ne):
Date:	(day/month/year)
Time:	(day/month/year)
Signature:	

Schedule S

Temporary Certificate of Registration as an Initial Environment Examination, Environmental Management Planning or Environmental Impact Assessment Consultant



Passport photo

(Name of office) Male', Maldives

This is to certify that

(Name) (Registration no:)

is hereby registered as a Temporary Initial Environmental Examination, Environmental Management Planning and Environmental Impact Assessment Consultant

pursuant to (1) of article 16 of the Regulation on compilation of Environmental Impact Assessment Report 2012.

Address:

ID card number:

Issued date:

Expiry date:

Registrar: