



Ministry of Housing and Environment

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Regulation Number: 2012/R-23

### **Regulation for the Protection and Preservation of Baa Atoll Hanifaru Area**

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| Introduction                | 1. (a) Subject to Act 4/93 (Maldives Environment Protection and Preservation Act), Baa Atoll Hanifaru Area is a Protected Zone, since 2009. The richness of natural resources and biodiversity in this area has made it a world renowned area. The protection of this area is declared to ensure the protection of its environmental habitats and the various types of visiting whale sharks and the manta rays.<br><br>(b) This regulation is enacted from the rights vested from Act 4/93 (Maldives Environment Protection and Preservation Act).<br><br>(c) Baa Atoll Hanifaru Area is an important area within the UNESCO Biosphere Reserve Core-area declared on 28 June 2011.   |
| Name                        | 2. The name of this Regulation shall be "Regulation for the Protection and Preservation of the Baa Atoll Hanifaru Area".  |
| Purpose                     | 3. The purpose of this regulation is to develop sustainable mechanisms to protect the biodiversity and natural resources in Baa Atoll Hanifaru and the surrounding area, and to formulate guidelines to gain the benefits from its rich natural resources and biodiversity in an environmentally sustainable manner.  |
| Enforcement of regulation   | 4. This regulation shall come into force when it has been published in the government's gazette.  |
| Enforcement                 | 5. This regulation shall be enforced by the Environment Protection Agency, on behalf of the Ministry.   |
| Zoning of the Hanifaru area | 6. (a) Baa Atoll Hanifaru Area is the area adjoining the North-Eastern edge of the atoll reef and the main ocean. The geographical coordinates and distribution of the zones for this area are detailed in Annex 1 of this regulation.<br><br>(b) Baa Atoll Hanifaru area is zoned into three parts. They are:<br><br>Zone 1: Core Area: This area shall be most highly protected. The activities allowed in this area should not harm or have any negative effects on the life-forms in the area.<br><br>Zone 2: Buffer Zone: This is the area surrounding and directly adjacent to the Core Areas. Specific activities may be authorized in this zone.<br><br>Zone 3: Transitional Areas: This is the area where sustainable activities that use natural resources and those activities |

which are permitted under Laws and Regulations of the Maldives, may be conducted. All the areas, one nautical mile inwards from the outer edge of the atoll, excluding the Core Area and Buffer Areas are Transitional Areas of the Biosphere Reserve.

Vessel movements and Visitors activities in the area known as Vandhoomaafaru Adi (Hanifaru Bay)

7. (a) Entrance of any sea-faring vessels in to the area known as Vandhoomaafu Adi (Hanifaru Bay) is banned.
- (b) Ranger vessels can enter the area known as Vandhoomaafaru Adi (Hanifaru Bay) during policing and/or emergency situations.
- (c) No vessel may anchor in the area known as Vandhoomaafaru Adi (Hanifaru Bay).
- (d) A person may enter in the waters of this area using life-saving gear (life buoy, life jacket, kick-board, ring)
- (e) Swimmers are not allowed to be active in this area using items such as sea-beds, canoes or surf-boards.

Vessel regulated activities in the Core area outside of the area known as Vandhoomaafaru Adi (Hanifaru Bay)

8. (a) Anchoring is banned in the Hanifaru area. When loading and unloading visitors to Hanifaru, vessels shall secure to the mooring buoys provided in the Hanifaru lagoon.
- (b) Baa Atoll Hanifaru lagoon may be entered only by taxiing vessels; those vessels permitted to enter the area; and the vessels used by the rangers.
- (c) All activities in the area shall be authorized by the Agency from 1 January 2012.
- (d) All vessels shall follow the drop off and pickup procedures set by the agency. It is banned to load and unload individuals in any area other than those marked as the Drop-off Zone, as said in Annex 1 of this regulation.
- (e) Vessels travelling 200 (two hundred) meters outward of Hanifaru area should not travel at speeds faster than 5 (five) miles (or 9 (nine) kilometres) per hour.
- (f) At any time, only one vessel may utilize the area marked as the Drop-off Zone as said in Annex 1 of this regulation.
- (g) The maximum speed allowed on Hanifaru lagoon is 2 (two) miles (3.6 (three point six) kilometers) per hour.
- (h) Vessels travelling to and from the Drop-off Zone shall not go near whale sharks and manta rays, seen in the area. Vessels should keep a minimum distance of 50 (fifty) meters from them and should always take sincere care not to disturb the said mega fauna.
- (i) No activities shall be conducted, and no vessel shall enter the Hanifaru area from 06:00pm (six) in the evening, until 06:00am (six) in the morning.

- (j) Maldives Police Service and the Maldives National Defense Force, who are delegated the responsibility to uphold the protection of the area, by the Agency or on behalf of the Agency, can be active in the area, during the times specified in clause (i) of this article and also at other times.
  - (k) The mooring buoys installed in Hanifaru ridge shall only be used for the purposes specified in clause (a) of this article.
  - (l) Getting on the Hanifaru island is only allowed with a special permission granted by the Agency, from 06:00 (six) in the morning until 06:00 (six) in the evening.
- Visiting Hanifaru area
- 9. (a) From 1 January 2012 onwards, only those with official permission to enter the Hanifaru area, may enter the area.
  - (b) Groups visiting the area shall have an Agency permitted guide for every 10 (ten) visitors.
  - (c) At any time, only a maximum of 80 (eighty) individuals may enter the waters of this area.
  - (d) At any time, only a maximum of 5 (five) vessels may enter the Hanifaru lagoon.
  - (e) All vessels should use northern entrance channel while entering and departing from the Hanifaru lagoon.
  - (f) To drop off individuals, vessels should go to the Drop-off Zone marked in Annex 1 of this regulation.
  - (g) Those going to the area known Vandhoomaafaru Adi (Hanifaru Bay) should swim there. Visiting groups can stay in the water for a maximum of 45 (forty five) minutes.
  - (h) Visitors themselves, or those who are in charge of the visitors shall take all legal responsibilities for the activities conducted by those visitors, in this area.
  - (i) From 1 January 2012 onwards, it is banned to enter the waters of this area without a mask, snorkel and fins.
  - (j) From 1 January 2012 onwards, it is banned to enter the waters of this area with diving cylinders or any gear used for underwater breathing.
  - (k) Any motorised diving equipment (such as underwater scooter) shall not be used on the surface or within the waters of the area known as Vandhoomaafaru Adi (Hanifaru Bay)
  - (l) Use of flash when using still or video cameras on the surface or within the waters of this area, is only allowed with special permission granted in writing, by the Agency.
  - (m) Swimmers in the area, shall keep a minimum distance of 3 (three) metres from all mega fauna (whale sharks and manta rays), and shall not attempt to swim across the path or in front of such marine life. If such a mega fauna (whale shark or manta ray) travels towards a

swimmer, the swimmer shall stay still until such mega fauna moves away from the swimmer.

- (n) Any research activities in the Hanifaru area shall be conducted after acquiring special written permission from the Agency.
  - (o) Special written permission should be acquired from the Agency, for photography and videography to be used in commercial purposes. Photography and videography to be used on TV channel network or advertisements shall be deemed commercial.
- Guides working in Hanifaru area
- 10. (a) From 1 January 2012 onwards, all in-water tour guides shall acquire a permit to perform as a guide in the Hanifaru area, which shall be issued by the Agency in accordance to its guidelines.
  - (b) All guides entering the area known as Vandhoomaafaru Adi (Hanifaru Bay) shall acquire a permit to enter the area.
  - (c) The permits stated in (a) and (b) of this article, shall be issued, only to whom, the Agency has issued a certificate, in accordance to its guidelines. When applying for this certificate, a non-refundable amount of 300/- (three hundred) Rufiya shall be paid to the Agency. This certificate shall be issued for a period of 3 (three) years.
  - (d) When issuing certificates to guides, the applicant's familiarity towards: Baa Atoll Biosphere Reserve; Baa Atoll Conservation Programme; UNESCO Zonation System; Hanifaru Management Plan; Marine life of the area; Guidelines or regulations for the management of Hanifaru area; and training in a dive-master course, shall be evaluated.
  - (e) The Agency has the right to revoke the certificates of those who violate the articles of this regulation.
  - (f) Certified guides shall be responsible for providing information to all clients associated with hanifaru bay and mega fauna.
- The fee or the token to enter Hanifaru
- 11. (a) Those (resorts, safaris, tour operators and the like) who send tourists to the area known as Vandhoomaafaru Adi (Hanifaru Bay) but have not paid the annual fee specified in Annex 3 (a), shall pay the token fee specified in Annex 3 (b) and (c), when using the area.
  - (b) Those who have paid the annual fee as specified in Annex 3 (a), shall only pay half of the nominal value of the token fee specified in Annex 3.
  - (c) From 1 January 2012 onwards, only those who buy Hanifaru token specified in Annex 3 (b) and (c), shall be allowed to snorkel (swimming with mask, snorkel and fins) in the area known as Vandhoomaafaru Adi (Hanifaru Bay). As such, the maximum time permitted to swim shall be 45 (forty five) minutes.
  - (d) The prices of Hanifaru tokens sold by tour-operators, resorts, diving-centres, live-aboards and safaris shall be the official prices of the token fees specified in Annex 3 of this regulation.
  - (e) Guides who have obtained the certificate need not further purchase a

- Hanifaru token.
- (f) Hanifaru token may be used only for 1 (one) time.
- Activities prohibited in Baa Atoll Hanifaru area
12. (a) Anchoring at any place within the Hanifaru area is prohibited.
- (b) Entrance to the area known as Vandhoomaafaru Adi (Hanifaru Bay) for vessels is prohibited.
- (c) Getting on the Hanifaru island without the permission of the Agency is banned.
- (d) Entering into the Hanifaru area and getting on the Hanifaru island at the times specified in article 8 (i) of this regulation, is banned.
- (e) Causing any disturbance to any form of life, while swimming or on the island is banned.
- (f) Taking out any living organisms or any non-living material, from the area is banned.
- (g) Throwing garbage into the area is banned. Those using the Hanifaru island shall take all their garbage away from the island and away from Hanifaru area.
- (h) A table of activities, those which are allowed and those which are banned in the Hanifaru area, is included in Annex 2 of this regulation.
- (i) The Agency is not restricted from permitting certain activities pertaining to certain situations, apart from what is listed in Annex 2 of this regulation.
- Penalties
13. (a) Those who violate these regulations shall be penalized in accordance with Act 4/93 (Maldives Environment Protection and Preservation Act); regulation R-9/2011 (Regulation for the determination of penalties and obtaining compensation for damages caused to the environment) enacted under that Act; and as specified in Annex 4 of this regulation.
- Exemption
14. (a) Students, teachers or those on field trips, visiting for educational purposes, with a special permission from the Agency shall not be charged any fees under this regulation. And the vessels used by these visitors shall be issued a temporary permit of entrance into the area by the Agency.
- (b) Those visiting on official government purpose with a special permission from the Agency shall not be charged any fees under this regulation. And the vessels used by these visitors shall be issued a temporary permit of entrance into the area by the Agency.
- (c) Those who are visiting as participants of training programs conducted in this area, organized by the Agency, shall not be charged any fees under this regulation. And the vessels used by these visitors shall be issued a temporary permit for entrance of the area by the Agency.
- Restriction of access
15. (a) Due to a scientific study conducted at Baa Atoll Hanifaru area; or due to an accident occurring in the area; or due to force majeure; or due to

the breeding of marine life such as that of sharks or manta rays in the area, the Agency has the right to restrict entrance and restrict all forms of activities in the area.

- (b) When the area is in use by any of the parties described in article 14 (a), (b) or (c), the Agency has the right to restrict entrance of all other parties, into the area.

Definitions

16. Unless a word is intentionally used otherwise:

- (a) "Hanifaru" means the area described as Baa Atoll Hanifaru area in the drawing in the Annex 1 of this regulation, including the Hanifaru island; the sand banks in the area; the adjoining sea and the reefs of these places; the Vandhoomaafaru Adi in the area; the sea and the lagoon in the area.
- (b) "Hanifaru Bay" means the area with a single opening known as Vandhoomaafaru Adi, on the western side of Hanifaru.
- (c) "Ministry" means the government ministry formed by the President of Maldives, vested with all the powers of enacting and executing policies relating to the environment.
- (d) "Agency" means Environmental Protection Agency.
- (e) "Mega fauna" means whale sharks, manta rays and of the similar nature.
- (f) "Taxiing vessel" means vessels that are permitted by the Agency, to carry passengers from visitors' centres.
- (g) "Baa Atoll Biosphere Reserve Management Fee" means the annual fee taken from those who use the area (resorts, safaris, tour-operators as such), in order to sustain the resources of the area.
- (h) "Visitors' Centre" means the centre established in the area, for the official management of services rendered to the visitors of Hanifaru.
- (i) "Rangers" means those who are trained, qualified and certified as rangers, by the Agency, for the purposes of the management of Baa Atoll Biosphere Reserve and the activities conducted there.
- (j) "Motorised diving equipment" means anything or vessel that has an engine or a battery or those that operates using petrol or diesel or other fuel.

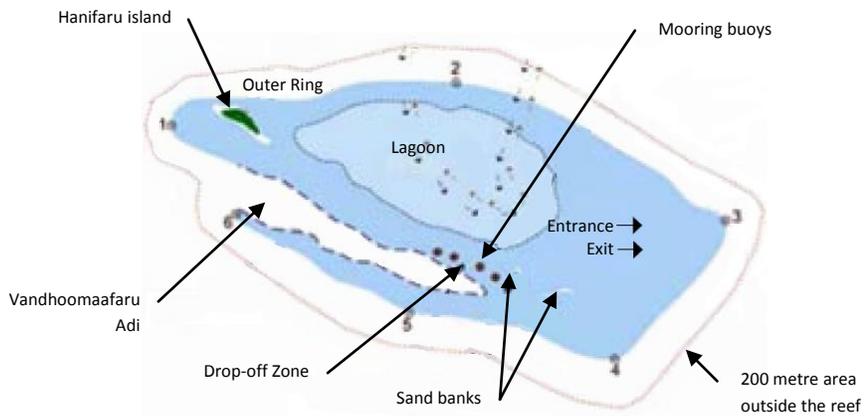
Annexes of the regulation for the Protection and Preservation of Baa Atoll Hanifaru Area

Annex 1:

Conduct of vessels entering and leaving Hanifaru area

Hanifaru GPS Cordinates

1. 5 10'58.18N, 73 07'46.53E
2. 5 11'03.33N, 73 08'05.54E
3. 5 10'33.64N 73 09'40.81E
4. 5 10'09.15N 73 09'16.10E
5. 5 10'18.78N 73 08'36.88E
6. 5 10'36.63N 73 08'00.84E



- Vessels shall enter and leave Hanifaru area from the eastern side.
- Vessels shall secure to the Mooring bays on the southern side.
- Individuals should be loaded and unloaded at the Drop-off Zone.

Unofficial Translation

Annex 2:

Table showing permitted and banned activities in the Hanifaru area as in B. Atoll Conservation Plan (BALP): A tick (✓) indicates permitted activities and a cross (×) indicates banned activities.

Core Area	Buffer Zone	Activity
✓	✓	Tourism and Entertainment, swimming (without diving cylinder)
×	✓	Tourism and Entertainment, diving with diving cylinder (from 1 January 2012)
✓	✓	Tourism and Entertainment, picnics, and viewing on-land areas
×	✓	Fishing by trolling on the surface of ocean
×	×	Tourism fishing by trolling on the surface of ocean
×	×	Ledgering or bottom fishing
×	×	Tourism ledgering or bottom fishing
×	✓	Traditional Maldivian type of catching bait
×	×	Net fishing
×	×	Fishing from breeding areas
×	×	Spear and gun fishing
×	×	Fishing that causes environmental damage (use of chlorine, dynamite, cyanide and other similar means for fishing)
×	✓ (only in emergency and life threatening situations)	Anchoring
×	×	Shell harvesting – commercial
×	×	Shell harvesting – lifestyle
×	×	Sea cucumber harvesting
×	×	Shark fishing
×	×	Live fish harvesting – commercial
×	×	Aquarium trade (all life forms – commercial)
×	×	Harvesting lobster for any purpose
×	×	Harvesting turtle eggs
×	×	Harvesting seabirds and their eggs
×	×	Sand harvesting – commercial
×	×	Sand harvesting – lifestyle
×	×	Coral harvesting – commercial
×	×	Coral harvesting – lifestyle
×	×	Throwing garbage to the beach and the sea
×	×	Harvesting dried palm leaves
×	✓ (when permitted)	Harvesting coconuts
×	×	Agriculture
×	×	Aquaculture

Annex 3:

Fees taken for the management of B. Atoll Hanifaru area

Number	Fee Name		Fee amount / US Dollar		
			Resort	Safari Vessel	Dive School
(a)	B. Atoll Biosphere Reserve Fee	Annual	308,400/- (three hundred and eight thousand four hundred) Maldivian Rufiya	12 or more beds: 11,565/- (eleven thousand five hundred and sixty five) Maldivian Rufiya  Less than 12 beds: 7,710/- (seven thousand seven hundred and ten) Maldivian Rufiya	15,420/- (fifteen thousand four hundred and twenty) Maldivian Rufiya
(b)	Hanifaru area entrance fee from May till November (Hanifaru token)	Per head at each visit to Hanifaru	310/- (hundred and fifty five) Maldivian Rufiya	310/- (hundred and fifty five) Maldivian Rufiya	310/- (hundred and fifty five) Maldivian Rufiya
(c)	Hanifaru area entrance fee from December till April (Hanifaru token)	Per head at each visit to Hanifaru	155/- (hundred and fifty five) Maldivian Rufiya	155/- (hundred and fifty five) Maldivian Rufiya	155/- (hundred and fifty five) Maldivian Rufiya

Annex 4:

Penalties for those who violate this regulation

Those who violate these regulations shall be penalized as follows:

Number	Punishment for the violator
1.	The authority responsible to execute this regulation has the right to order anyone violating these regulations to leave this area immediately.
2.	Those who enter the Hanifaru area without acquiring the necessary permissions shall be fined by 5,000/- (five thousand) Rufiya. And every repetition shall increase the fine by an additional 5,000/- (five thousand) Rufiya above the previous fine.
3.	Those who are active in the Hanifaru area as a guide without the necessary permit shall be fined by 10,000/- (ten thousand) Rufiya.
4.	Permits of those who violate this regulation shall be revoked and fined by 8,000/- (eight thousand) Rufiya.
5.	Those who enter the Hanifaru area between 06:00pm (six) in the evening and 06:00am (six) in the morning, without a permission of the Agency shall be fined by 10,000/- (ten thousand) Rufiya.
6.	It is banned to leave garbage or to cause any harm to the environment of Hanifaru island or to take anything away from the island while visiting there. Those who violate shall be fined by an amount between 5,000/- (five thousand) and 10,000/- (ten thousand) Rufiya.
7.	Those who touch or cause any disturbance to the mega fauna in Hanifaru area, shall be fined by an amount between 5,000/- (five thousand) and 10,000/- (ten thousand) Rufiya.
8.	Those who ride with large mega fauna in the Hanifaru area, by hanging on to them, shall be fined by an amount of 50,000/- (fifty thousand) Rufiya.
9.	Those who retrieve any type of life-forms from the Hanifaru area or take them out of the Hanifaru area shall be fined by an amount between 5,000/- (five thousand) and 10,000/- (ten thousand) Rufiya.
10.	If any in-water guides who are issued with a certificate from the Agency, violate the rules set for them, shall have their certificates revoked and fined by 1,000/- (one thousand) Rufiya for the violation. A new certificate shall be issued on payment of a fine of 5,000/- (five thousand) Rufiya.
11.	Those who litter the Hanifaru area shall be fined by an amount between 5,000/- (five thousand) and 10,000/- (ten thousand) Rufiya.
12.	If a vessel enters the area known as Vandhoomaafaru Adi (Hanifaru Bay), the captain of the vessel or the individual steering the vessel shall be fined by 50,000/- (fifty thousand) Rufiya.
13.	For any violations of this regulation, that are not listed above, shall be fined by 1,000/- (one thousand) Rufiya. And every repetition shall increase the fine by an additional 5,000/- (five thousand) Rufiya above the previous fine.
14.	Those who cause harm to the Hanifaru area or the protected life-forms of Hanifaru area shall be penalized under Regulation number R-9/2011 (Regulation for the determination of penalties and obtaining compensation for damages caused to the environment).