

Maldives Recreational Diving Regulation

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CHAPTER ONE: MALDIVES TOURISM ACT (2/99)

Emanating from the Maldives Tourism Act (No. 2/99), the Ministry of Tourism issues these regulations in order to keep recreational scuba diving safe and enjoyable. Divers and dive center staff alike are required to abide by these considerations, A copy of these regulations must be available at each Dive Centre and be accessible to the diving clientele at all times. Following are the Sections of the Maldives Tourism Act (No.2/99) on Diving Centre's.

MALDIVES TOURISM ACT

Section 3: Provision of Diving and Travel Agency Services

The Management of diving centre's and travel agencies and the provision of their services in the Maldives shall be in accordance with regulations made under this Act.

ON DIVE CENTRES

Section 29: Registration and obtaining license for Operation

Dive centre's providing services to tourists shall be operated in the Maldives after registering at the Ministry of Tourism and obtaining a license.

Section 30: Parties to Which License Shall Be Issued

The license referred to in section 29 of this Act for the operation of a diving centre shall be issued to parties that satisfy the following conditions:-

- (a) Where the party is a company or other business organization, the operation of dive is included as an objective in the memorandum of Association of that company or business organization;
- (b) Where the party is a foreign company or business organization, it is registered at the Ministry of trade and industries as a company or business organization carrying on business in the Maldives;
- (c) The *[Physical]* presence of a dive centre operated in the regulations made under this Act, and the services determined by the Ministry of Tourism to be necessary at such as centre are made available at the dive centre; and
- (d) The registration fee prescribed in section 31 of this Act is paid.

Section 31: Registration Fee

A dive centre referred to in Section 29 of this Act shall be registered upon payment of a registration fee of MRF 5,000.

MISCELLANEOUS MATTERS

Section 39: Foreigners Engaging in Any Tourism Related Activity

No foreign party shall engage in any tourism related activity referred to in this Act in the Maldives except after entering into the agreement specified in Act No. 25/79 (Maldives Foreign Investments Act) and after registering the investment at the Ministry of Tourism in accordance with provision of that Act.

Section 41: Provision of Information to Ministry of Tourism

All parties engaged in tourism related activities shall, in accordance with regulations stipulated by the Ministry of Tourism, Provide it with information required to prepare the tourism statistics of the Maldives.

Section 42: Duration and Renewal of Licenses

Licenses for the operation of tourist resorts, tourist hotels, tourist guesthouses, marinas, tourist vessels, dive centre's and travel agencies shall be issued under this Act for a period of 5 years, All other licenses shall be issued for the period stated in regulations made by the Ministry of Tourism. License shall be renewed upon expiration of the period for which they have been issued.

Section 43: Display of License

All license issued under this Act shall, unless otherwise provided in this Act, be displayed in a prominent manner in the establishment to which the license was issued.

Section 45: Right to Monitor Standard of Services

The Ministry of Tourism shall have the discretion to monitor tourist resorts, tourist hotels, tourist guesthouse, tourist vessels, and marinas, dive centre's and travel agencies and to ensure that the services provided by such establishments are in accordance with guidelines determined by the Ministry of Tourism, the provision of this Act and any regulations made under it.

Section 46: Imposition of Fine and Suspension of License of failure to meet Standards

Where the standards of services provided by a tourist resort, tourist hotel, tourist guest house, tourist vessel, marina, diving centre or travel agency falls below the guidelines determined by the Ministry of Tourism, then the Ministry may in its discretion impose upon such establishment a fine not exceeding MRF 1,000,000 and, taking into account the extent of the default is rectified.

Section 47: Penalty

Except where it is otherwise stated in any other provision of this Act, a party in default of a provision in this Act shall be fined by an amount not exceeding Mrf 100,000.

Section 48: Registration and obtaining Licenses by Establishments Not Registered or Licensed Prior to the Coming into Force of this Act

Those establishments specified in this Act as being required to be registered or licensed but which are not either registered or licensed prior to the coming into force of this Act, shall be registered or licensed within 1 year of the date of the coming into force of this Act.

Section 49: Formulation of Regulations

Any regulations that are required to be made under this Act, unless specified otherwise, shall be made and enforced by a party determined by the President for such purpose.

Section 50: Definitions

In this Act, unless the context otherwise requires:-

(f) "Dive centre's" means dive school, dive bases and all other parties that provide diving services for tourists.

(h) "Investment company" means banks, insurance companies and such financial companies and institutions formed to manage and invest funds of various persons; and

(i) "Tourists" means every person that enters the Maldives who is not a Maldivian citizen and is not in possession of a "resident permit". A "resident permit" is a permit issued pursuant to regulations of the relevant authorities permitting an individual to be resident in the Maldives whilst not being a tourist.

Section 51: Laws Repealed

Upon the coming into force of this Act, Act no, 15/79 (Law on Tourism in the Maldives) and Act No. 3/94 (Law on Leasing of uninhabited islands for the development of tourist resorts) shall be repealed.

CHAPTER TWO: MALDIVES RECREATIONAL DIVING REGULATION

Recreational scuba diving is an important tourism activity in the Maldives. Diving can contribute to the further development of tourism only when diving is regarded as a safe and enjoyable. Recreational diving in the Maldives continues to maintain and enjoy an excellent safety record.

Section 1: Recognized Diver Training Agencies: Minimum Certification Requirements

- (1) The minimum certification level for divers wishing to participate in diving in the Maldives is an entry level certification from a Recreational scuba Training Council (RSTC) associated Diver training agency or a 1 star Confederation Mondiale Des Activities Subaquatiques (CMAS) certification from a CMAS-affiliated diver training agency
- (2) Other diver-training agency's entry-level certificates must have as performance requirements for open water training Dives encompassing the knowledge and skills as outlined in the RSTC entry-level performance requirements.
- (3) A diver is required to submit proof of his/her training by means of a diving experience by means of a logbook.
- (4) A diver who cannot submit an entry-level or higher certification must be considered a trainee and may only participate in training dives according to the standards of the training programs a sponsored by the aforementioned driver training-agencies, until certified as an entry-level diver.
- (5) A diver who cannot submit proof of his/her dive experience by means of a log book must demonstrate to the dive instructor that he/she has mastered the skill as outlined in SECTION 11: ORIENTATION DIVE.

Section 2: Supervision of Diving Activities

- (1) All diving activities, both land and boat based, must be supervised by Dive Centre Staff either directly or indirectly. If a Dive Centre Staff is found to be negligent in supervision, the Dive Centre Staff and the Dive Centre will be subject to appropriate action as deemed fit by the government authorities.
- (2) In order to function as a Dive Centre Staff, a person must meet all the prerequisites as mentioned under SECTION 10: RECOGNISED QUALIFICATION OF DIVE CENTRE STAFF.
- (3) "Direct Supervision" is defined as Dive Centre staff being physically present and in control of the diving activities and being able to personally evaluate the behavior of the divers and being capable to prevent or correct problems when they occur.
- (4) "Indirect Supervision" is Dive Centre Staff Organizing the diving activity and being available to respond correctly and timely to problems when they occur.
- (5) Prior to a dive, a dive briefing has to be given to the divers by the Dive Centre Staff,
- (6) For all diving activities a dive roster must be kept starting the drivers' dive time, maximum depth and remaining tank pressure after the dive.
- (7) For independent land based dive activities, a Dive Centre Staff member is required to note the time the divers enter and exit the water.

- (8) Dive rosters are to be kept the Dive Centre Staff for reference by the Maldivian Authorities for a period of not less than one year.
- (9) Certified divers may dive with another certified diver without the immediate supervision of a Dive Master when environmental conditions are similar to the conditions in which the diver has been trained, or proof of experience of diving in more demanding conditions can be demonstrated by entries in their logbooks.
- (10) Certified divers, who do not have the skill or experience necessary to safely and comfortably dive in give environmental conditions, must dive under the immediate supervision of Dive Centre Staff.

Section 3: Maximum Depth Limitations

- (1) The Maximum depth for all-recreational diving in the Maldives is 30 meters.
- (2) This applies to divers training in deep diving Techniques who participate in recreational diving activities within the Maldives, tourists, Dive Centre Staff, Instructors on or off duty and all instructors and students involved in Advanced and Deep Diving Training.
The maximum depth limitation also applies without exception to diving activities on live-aboard and safari boats.
- (3) Any person repeatedly and deliberately violating this regulation may be excluded from further diving. Furthermore, any Dive Centre Staff repeatedly and deliberately violating this regulation will be subjected to disciplinary measures as deemed fit the concerned Maldivian Authority.
- (4) Entry level Divers may dive to a depth of 20 meters or within the limits as set forth by standards of their certification agency, but not exceeding 20 meters.
- (5) Not until entry-level divers have received training in Deep Diving techniques may they go deeper than 20 meters.
- (6) Instruction in Deep Diving techniques must be provided in compliance with the standards of the Diver Training Agencies as mentioned in SECTION 1: RECOGNISED DIVER TRAINING AGENCIES.
- (7) The fact that an entry level diver is diving under the supervision of an instructor shall not be grounds to dive deeper than 20 meters unless the diver is trained or is receiving in Deep Diving Techniques as per standards.

Section 4: decompression Dive limitations

- (1) Only no decompression diving is allowed in the Maldives. This applies to everybody who participates in diving activities within the Maldives, tourists and dive Centre Staff, instructors on and off duty, also instructors and Students involved in Advanced and Deep Diving Training. This no-stage decompression limitation also applies to live-aboard or safari boats, No exception what ever is allowed.
- (2) Any person repeatedly and deliberately violating this regulation may be excluded from further diving. Furthermore, and Dive Centre Staff repeatedly and deliberately violating this regulation shall be subjected to disciplinary measures as deemed fit the concerned.

Section 5: Dive Centre Requirements

- (1) All Dive Centre's must register with the Ministry of Tourism and obtain an operating license.
- (2) All Dive Centre's must be equipped with pure Oxygen and have an emergency plan ready in case of diving related accidents. The emergency plan ready in case of diving related accident. The emergency plan must include mechanisms for:
 - a) Searching methods in case of missing divers
 - b) Providing First Aid Care
 - c) Transport method to the next appropriate medical facility.
 - d) Reporting to the appropriate Authorities (Police, Coast Guard. Ministry of Tourism.etc.)
- (3) All Dive Centre Staff must familiar with his/her Emergency Plan and be able to act appropriately.
- (4) A Dive Centre must have an employed Base Leader who is responsible for the Dive Centre and who is present at the Dive Centre on a daily basis. In case the Base Leader is absent, an Assistant Bass Leader must assume responsibility for the Dive Centre.
- (5) A dive centre must have adequate equipment spare parts, equipment and course material for all course conducted.
- (6) A dive Centre must have a list of all dive services and course conducted and their rates available in writing.

Section 6: Dive Centre Equipment

- (1) Dive centre's must provide well-maintained dive equipment.
- (2) Dive cylinders must be hydrostatically tested by a facility authorized to do so by the Ministry of Tourism.
- (3) Buoyancy compensators Device (BCD's) must be approved for recreational diving by the manufacturer and must have a Low Pressure inflator. The BCD must be maintained according to the Manufacturer's instructions.
- (4) Regulators must be approved for recreational diving by the manufacturer and must be maintained according to the manufacturer's instructions.
- (5) Dive Centre's must provide Alternative Air Sources, depth and timing devices as standards rental equipment.

Section 7: Standard Equipment for Divers and Instructors

- (1) During all recreation diving activities divers must be equipped with:
 - a) Mask, Snorkel, Fins
 - b) Regulators with submersible pressure gauge and Alternative Air Source or redundant air supply.
 - c) Buoyancy Compensator Device (BCD) vests with oral and low pressure inflator.
 - d) Time and depth measuring device
 - e) The use of dive computers are highly recommended for all divers
 - f) Emergency signaling device comprising inflatable surface balloon and whistle

During all night diving activities divers must be equipped with:

- g) Underwater torch and night signaling device
- h) Reflective surface marker buoy (SMB), and

In addition, all the dive instructors supervising diving activities must be equipped with;

- (j) Knife and emergency signaling Device

Section 8: Dive Boats

- (1) Dive Boats are the responsibility of the Dive Centre and the crew.
- (2) Dive Boats must have at least a crew of three, and must be dedicated to the safety of the divers and supports the divers in any way they can.
- (3) The Dive boats operated by dive centre's must be able to communicate to the Dive Centre's must be able to communicate to the Dive Centre at all times during the dive through a functioning walkie-talkie or hand phone and radio telephone or CB set.
- (4) The Dive boats must have sufficient fuel to make the prearranged dive trips and any changes there to.
- (5) In case weather conditions deteriorate while divers are under water, the crew must be proficient in recalling methods.
- (6) The Dive centre staff is responsible for the provision of a spare tank, spare diving equipment, First Aid, Oxygen Kit, Dive flag and a boat ladder that allows for comfortable exit from the water.
- (7) The Dive flag illustrated in ANNEX 1 shall be clearly visible when the divers are in the water and must be lowered when the last driver has exited the water.
- (8) An operational Search Light must be onboard, in all night dives involving dive boats.

Section 9: Safety Considerations

- (1) All Dive Centre's must have an Emergency Plan as mentioned under SECTION 5: DIVE CENTRE REQUIREMENTS.
- (2) The dive Centre Staff must brief the drivers prior to every dive. The Brief must include information about safety regulations, depth limits, dive site characteristics, currents, entry and exit techniques, environmental considerations and potential hazards.
- (3) After all dives, a safety stop must be made for at least 3 minutes at 5 meters. Divers must commence their safety stop with a tank pressure not less than 50 bars. A safety stop at 5 meters is recommended for all dives deeper than 9 meters.
- (4) The use of Buoyancy Compensator Device (BCD) is absolutely mandatory for all diving activities.
- (5) Solitary Diving is NOT allowed under any circumstances.
- (6) For Practical reasons the term "Diving" is used to describe recreational diving only. Commercial and military divers and other occupational divers must adhere to these regulations when participating in recreational diving activities.
- (7) Familiarization sessions with the oxygen equipment must be provided on the dive centre for all dive staff and this training session must be held at least annually.

- (8) No exception to the Maldives recreational diving regulations are allowed unless expressly permitted in writing by the Ministry of Tourism.

Section 10: Recognized Qualification of Dive Centre Staff.

- (1) In order to supervise diving activities exercise leadership in diving activities, a person must: be a Dive master (RTSC) or 4 star divers (CMAS) or equivalent as per RSTC standards, have a work permit and a Resident Permit Visa if not a Maldivian national, carry professional liability insurance and Personal accident insurance covering diving accidents and chamber treatment.
- (2) All training and certification of divers is to be done exclusively by instructor, who may be assisted by Assistant Instructors and / or Dive Masters as per standards.
- (3) In order to function as an Instructor an individual must, in addition to the above: be certified as an Instructor (RTSC) or 2 star moniteur (CMAS) or equivalent as per RSTC standard; be in teaching status with the diver-training agency whose diver training program he / she chooses to teach. Strictly adhere to all the standards that apply to the diver-training program he chooses to all the standards that apply to the diver-training program he chooses to teach.
- (4) In order to function as a Base Leader or Assistant Base Leader, an individual must be a Dive Instructor.

Section 11: Orientation Dive

- (1) If a diver is certified as an entry level diver or above, but cannot show proof of at least 30 dives and / or has not been diving in the last 3 months, the diver is required to make an Orientation Dive.
- (2) An Orientation Dive is NOT a test, but is dive shallow water under quiet, controlled circumstances, where the diver is given the opportunity to regain confidence in his / her skills, including but not limited to: mask clearing, regulator recovery, neutral buoyancy, ascents, descents and alternate air source breathing.

Section 12: Definitions

- (1) In this regulation, unless the context otherwise requires:-
- a) "diving " means underwater recreation scuba diving
 - b) "Dive Centre" means dive schools, dive bases and all other parties that provide diving services for tourists.
- (2) Following are some of the abbreviations used by International Diving Associations started in this regulation

PADI -Professional Association of Diving Instructors

NAUI -National Association of Under Water Instructors

RSTC	-Recreational Scuba Training Council
CMAS	-Confederation Mondiale Des Activities Subaquatiques
SCUBA	-Self Contained Underwater Breathing Apparatus
BARACUDA	-Baracuda International Aquanautic Club
VIT	-Verband Internationaler Tauchschulen (Association of International Diving Schools)
POSEIDON	-Poseidon Nemrond Internation Diving Club

CHAPTER THREE: DIVING GUIDELINES

Section 1: Planning the Dive

- (1) It is essential to “PLAN YOUR DIVE YOUR PLAN”, Dive centre’s must be aware of any changes to the dive plan of the dive boat and divers.

Section 2: Weather Checks

- (1) It is recommended that dive centre’s keep aware of local weather conditions and inform divers of any special conditions at each dive site prior to the dive.

Section 3: Low-Risk Condition

- (1) Maximum depth of dive site not exceed 20m
- (2) Swell and / or wave height does not exceed 0.5m
- (3) Current is nil to slight (diver can swim against it with minimum exertion)
- (4) Underwater Visibility is greater than 4m
- (5) Dive starts and ends in full daylight

Section 4: Prohibited Dives

- (1) Decompression dives
- (2) Dives deeper than 30m
- (3) Dives less than 24 hours before flying (a pressured aircraft)
- (4) Dives in restricted / no dive areas (Refer SECTION 10: DIVING IN RESTRICTED AREAS)

Section 5: Dive Qualifications

- (1) A diver must present the following documents to the dive centre:
 - a) Dive certification card from a recognized agency that allows the person to dive without supervision in open water.
 - b) Log book validating open water diving experience of at 900 minutes, excluding training dives.
 - c) Medical certificate dated within 12 months of diving or self-declaration stating that the person is fit to scuba dive.
 - d) Completed diver registration form at the dive centre.
 - e) An orientation dive may be required for persons who have not dived within the last 3 months. The dive centre may impose restrictions on a diver’s activities on the basis of his / her logged experience.

Section 6: Dive Tables and computers

- (1) Use of dive tables and dive computers are highly recommended for all divers.
- (2) Dive tables must be available at the dive base for divers to work out their dives manually.

Section 7: Dive Flag

- (1) The wide transport activities around the island in the Maldives make it essential that divers mark their presence clearly. Therefore, any boat with divers operating from it must always display signals by day or night to inform other boat users. In the Maldives the daytime Signal for divers is the International Code Flag "A" (White and blue split flag) approved by the Ministry of Tourism as an indication of a submerged diver (Annex 1). The flag must be at least 750mm in length and 600mm in width.
- (2) Dive flag can be used anywhere where divers are diving and should always be displayed by dive boats when it has divers in the water. The use of dive is to signal any boat, jet-ski or any body else in the vicinity that diver is underneath and hence should keep distance, or take care when approaching.

Section 8: Diving from Boats

- (1) For all dives away from the dive centre, it is recommended that a person with the following qualifications and experience remains on the surface during diving operations:
 - a) A boat driving / captains license from Ministry of Transport and Civil Aviation and with significant experience.
 - b) Dive Centre staff with adequate knowledge of the dive location or other persons approved by the Base Leader.
 - c) First aid Certificate.
 - d) Oxygen resuscitation and therapy certificate or PADI / DAN Oxygen Provider Course.

Section 9: Cylinder Pressure Testing

- (1) Those who are professionally engaged in the filling of compressed air are forbidden to fill cylinders that have not been hydrostatic pressure tested within the last two year. Persons employed by dive centres to fill cylinders (such as compressor boys) must be made aware of these regulations.

Section 10: Diving in Restricted Areas

- (1) Generally diving is fairly free in Maldives, but in the vicinity of closed national security installations diving is not permitted. These areas are not always marked on maps; hence it is recommended that divers consult the Coast Guard / Ministry of Defense & National Security or the Ministry of Tourism in advance, to find out about possible restrictions.
- (2) All the above stated are valid for the whole of Maldives. Other restricted areas are;
 - a) Ports, traffic route accesses, passages and alike. Permission has to be obtained from the Maldives Ports Authority / Harbor authorities before attempting to dive in dive in designated commercial harbors and ports.

- b) Vicinity of areas under the Ministry of Defense & National Security and near maritime vessels.
- c) In the atolls where tourism is undeveloped (outside the tourism zone), except in designated dive sites.

Section 11: Diving Wrecks and Underwater Artifacts

- (1) Maldives being a seafaring nation, it is expected that there will be many wrecks among the atolls. The imperative rule for wreck diving is: "Look but don't touch!" Those who do not observe this rule are not only damaging the underwater wrecks, but are also obstructing future wreck diving in the Maldives. This rule applies not only to wreck diving in the Maldives. This rule applies not only to wrecks, but also to any separate objects found under water.
- (2) Should you discover an underwater object the correct procedure is to mark the spot and then report to the National Centre for Linguistics and historical Research and the Ministry of Finance and Treasury. A list of wrecks is available from the Ministry of tourism.

Section 12: Protection of Underwater cultural Monuments

- (1) Nothing should be taken out from the sea, and particularly this prohibition refers to cultural monuments. Please contact the National Centre for Linguistics & Historical Research and the Ministry of Finance & Treasury should you find any.
- (2) Damaging and extracting cultural monuments is prohibited, as well as taking the same abroad. Underwater archaeological researches may be performed only with permits issued by the Maldivian government authorities, and the procedure is NOT covered under these regulations.

Section 13: Environment Protection

- (1) As responsible divers, reasonable care should be taken to protect the marine environment, its associated living organisms and their habitats. Divers should be briefed by the dive instructor on responsible behavior whilst diving, such as buoyancy control, avoiding damage to corals and physical contact with marine animals. Shark feeding is NOT permitted for the divers and the dive centre staff alike.
- (2) Activities that are detrimental to marine protected areas and protected species and their habitats are prohibited under the Environment Protection & Preservation Act (Act No. 4/93) of Maldives. Marine Protected Areas are living marine aquariums. Look but don't touch is the message in these areas, and ONLY permitted activities can take place. Protected areas, as their name suggests, are there to protect typical areas of the coral reef system, and its resident fish and other animals, in as near to a pristine condition as possible.
- (3) Permit to dive in marine protected areas may be required. Please check before you venture.

Section 14: Damage Due to Anchoring

- (1) Dive boats are not allowed to anchor on dive sites. Drift boat diving is the norm in Maldives. Boat anchors destroy fish habitats especially corals and even sea-grass beds. If anchoring is required for any reason prevents reef damage by anchoring in sandy areas or using mooring buoys.

Section 15: Diving in Bait Fishery Areas

- (1) Bait fishing is an important activity for the traditional pole and line tuna fishery in the Maldives. Hence, occasionally divers may encounter fisherman collecting bait. In order to reduce conflict between local fishermen, diving should be avoided in the same area whilst fishermen are engaged in bait fishing. Any such conflicts should be reported to the Ministry of tourism through the responsible dive centre as soon as possible. Dive centres should also keep divers informed of these traditional economic activities in the country.

Section 16: Diving for Commercial Fishing & Marine Research

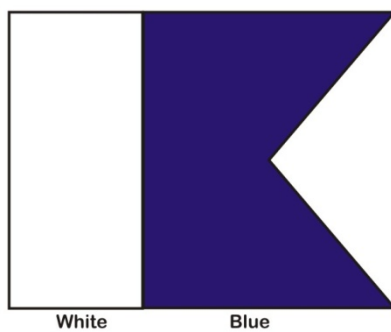
- (1) Diving for marine resources and marine research are not covered under these regulations. Permission should be obtained from the concerned government authorities before engaging in such activities.

Section 17: Confiscation of Equipment

- (1) The Maldivian legislation provides the Police the right to confiscate objects unlawfully taken up as well as equipment in cases where a diver has applied his or her equipment illegally.

ANNEX 1

International Dive Flag 'A' (Blue Flag)



Length of the flag: 750 mm

Width of Flag: 600 mm