



Ministry of Environment, Energy and Water

Regulation for the Protection and Conservation of the Natural Life and character of Old Plants and Trees in the Maldives

- Introduction
1. (a) This regulation is enacted under Article 4 to Act 4/93 (Maldives Environment Protection and Preservation Act)
 - (b) As such, this regulation is a compilation of guidelines to be adhered towards the protected plants and trees of the Maldives.
 - (c) The Regulation shall be called “Regulation for the Protection and Conservation of the Natural Life and character of Old Plants and Trees of Maldives”.
- Purpose
2. (a) It has become extremely important to protect old plants and trees of Maldives because: the daily rate of removal of plants and trees are on the increase resulting in changes to the nature and character of islands and decline in the greenery of islands; certain species of plants and trees are getting extinct at the island and atoll level; and the population of some species of plants and trees are rapidly declining at the national level. Additionally, old plants and trees are protected in many countries under the law and are part of the national heritage. Maldives also counts in top ranks of the world environment domain. Maldives is a member of the United Nations Environment Program (UNEP). Maldives has also signed the Convention on Biological Diversity (CBD). Therefore to the Maldives, the protection and conservation of old plants and trees of Maldives, is important, nationally, regionally and internationally. As such, old plants and trees of Maldives from 5 June 2007 shall be protected under this regulation enacted under Act 4/93 (Maldives Environment Protection and Preservation Act). And those who violate this regulation will be penalized under Act 4/93 (Maldives Environment Protection and Preservation Act). And therefore, by establishing specific policies to protect and conserve the old plants and trees of Maldives, shall reduce the extinction of old plants and trees, and its negative impacts on the environment and living species; reduce any detriments to the natural character of island; and pave way to sustainable development.
- Purpose for Protection
3. (a) Protection based on age.
 - 1) Plants aged between 50 and 100
 - 2) Plants aged above 100
 - (b) Protection based on the present quantity in a specific island or the

whole of Maldives.

- 1) Native Plants that are considered near extinction
 - (c) Plants protected for its environmental significance.
 - 1) The importance of the location of the plant, its usage, its relationship with history and culture.
 - (d) Plants protected by community request
 - 1) Protection of those plants, which a community or a social organization requests for protective status, from the Ministry of Environment, Energy and Water, through the relevant island offices, and which the ministry deems necessary for such protection.
- Protection
4. (a) Old plants and trees on islands are protected as a solution is required for the changes that are occurring to the natural form and character of islands; the negative impacts of the extinction of such plants on the environment and living species needs to be reduced; the impact on the island habitat; and for the protection and conservation of the natural environments of the islands needs to be reduced.
 - (b) With consideration to its age, present quantities, its significance, the plants to be protected shall be determined by Ministry of Environment, Energy and Water.
 - (c) In determining these plants and trees, Ministry of Environment, Energy and Water shall collect information relating to the plants need protection, in every 5 years.
 - (d) Upon collection of information as per (c) of this Article, the Ministry of Environment, Energy and Water shall announce the plants to be protected. And the list of plants announced as protected plants shall be registered with the Ministry of Environment, Energy and Water. And these shall be informed to the Male' Municipality and the island offices having such plants
- Exemptions
5. (a) Plant on residential plots released from Private or State properties shall be exempted.
 - (b) Plants grown for the purpose of agriculture, such as breadfruit and mango, shall be exempted from this regulation.
- Boundaries of protected plants
6. (a) This is the circular boundary within 2 metres outward of the spread of the plant at the time of registration as a protected plant.
 - (b) When releasing land plots for any purpose, plots shall be dedicated for protected plants so that they may not be harmed.
- Management of protected plants
7. (a) Old plants and trees of Maldives are protected to, reduce the negatives impacts of their extinction on the habitat system of the islands and have the natural habitats passed on to future generations safely. As such, it is particularly necessary to protect and conserve such plants in order to reduce the negative implications on them and the implications

on the natural form and character of the islands. Some of these old plants have been used by sailors from many generations as markers to locate the islands; hence, the extinction of these plants would negatively impact the sea transport system of Maldives.

- (b) It is prohibited to do anything that may cause harm to a protected plant, within the protected boundaries or from any distance.
- (c) Pruning and maintenance of plants shall be carried out by a party determined as per Article (8) of this regulation. It is prohibited for anyone else to prune or remove branches of such plants.
- (d) If the protected plant is not in a residential area but in the vegetation without any disturbance from surrounding palms or plants, it is prohibited to bring any changes to the natural habitat within the boundary of the plant.
- (e) Plants and palms which grow within the boundary of the protected plant stated in Article (7)(a) of this Regulation and causes disturbance or harm to it shall be removed by the party determined under Article (8) of this regulation.
- (f) It is prohibited, to axe on a protected plant; to clip the bark; to put in nails; to have bon-fires under them; dumping oil or other chemicals onto its ground; or causing any other harm to protected plants.
- (g) It is prohibited to dump any non-biodegradable waste within the boundary as specified in (a) of Article 6 of this regulation
- (h) It is prohibited, even for the purpose of alleviation, for anyone other than the party declared to take care of the plant, to dig or bury any plant food within a radius of 15 feet from its root.
- (i) It is prohibited to construct buildings or do anything within the spread, especially within the boundary of protected plants, which may cause harm to them. Buildings constructed before the enforcement of this regulation shall be exempted from this regulation.

Responsibility of maintenance of the plants

- 8. (a) Determination of a party responsible for the maintenance of protected plants as mentioned in (c) of Article (1) of this regulation.
 - 1) At islands other than Male', plants on areas other than privately registered state plots and private plots shall be maintained by the island office or party decided by the island office.
 - 2) In Male', plants on areas other than privately registered state plots and private plots shall be maintained by Male' Municipality or a party decided by Male' Minicipality.
 - 3) On a leased uninhabited island, protected plants shall be maintained by the lessee or a party assigned by the lessee.
 - 4) On islands on long-term leases, protected plants shall be maintained by the lessee or a party assigned by the lessee.
 - 5) On tourist resorts, protected plants shall be maintained by the

- resort owner or resort management or a party decided by them.
- | | | |
|---|---------|---|
| Guidelines for maintenance of protected plants | 9. (a) | <ol style="list-style-type: none">1) Removing dead branches, twigs of the plant2) Removing delicate and unsafe branches/twigs of the plant3) Clipping the shoot in specific methods to allow for healthy growth of the plant4) If the plant bends or slants, removing branches and twigs as necessary5) If the plant is aged between 50 years and 100 years, the spread of the plant should be maintained within reasonable limits by chipping outer edges.6) If the plant is aged between 50 years and 100 years, its branches should be chopped on a regular basis to ensure that its branches do not overgrow onto large areas.7) If the plant is aged above a 100 years, minimize any alteration or modification to its natural form which may endanger its life. |
| Maintenance of plants within residential areas with buildings | 10. (a) | <ol style="list-style-type: none">1) Clipping the shoots of plants aged between 50 years and 100 years, every six months, making way for continued growth.2) Removing delicate and dead branches/twigs.3) If the plant is aged between 50 years and 100 years, not to leave the plant to grow on its own but to remove branches that may disturb residential premises in the area.4) To keep the boundary, (mention in (a) of Article (6) of this regulation), open so that water can drain into the ground.5) Roots may be cut using sharp objects, if this is absolutely necessary, but hole should be covered and ground should be tightened when work is done.6) If a plant aged more than 100 years causes disturbance to residents or a building structure, Ministry of Environment, Energy and Water shall determine steps that need to be followed |
| Reporting the information on protected plants | 11. (a) | <p>The condition of the ground of the protected plant shall be informed to the Ministry of Environment, Energy and Water every 6 months by the party, determined as per Article (8) of this regulation.</p> <p>(b) If there has been a damage to the plant caused by heavy winds, bad weather or likewise, the details shall be informed at the earliest, to the Ministry of Environment, Energy and Water by the party, determined as per Article (8) of this regulation.</p> <p>(c) If any party causes harm to the plant in any manner, while within the area of the plant, whatever the party had done shall be brought to a halt and informed at the earliest, to the Ministry of Environment, Energy and Water by the party, determined as per Article (8) of this</p> |

regulation.

- (d) Plant clipping and maintenance report shall be send to the Ministry of Environment, Energy and Water, every 6 months by the party, determined as per Article (8) of this regulation.
- (e) If the plant picks a disease or weakens, the details shall be informed at the earliest, to the Ministry of Environment, Energy and Water by the party, determined as per Article (8) of this regulation.
- (f) For the maintenance of the Protected Plants' registry, details of plants that reach the age of 50 years shall be informed to the Ministry of Environment, Energy and Water by island offices; resort managements; lessees of uninhabited islands; and long-term lessees of islands.

Reimbursement

- 12. (a) If a private plant is declared to be a protected plant, reimbursement for the plant shall be made for those plants registered as per Article 5 of Act 21/98 (Palms and Plants on Residential Islands Act).
- (b) The value of reimbursement shall be determined based on the regulations for reimbursement in use by Ministry of Atolls Development, and the "Determining value of Palms and Plants" in use by Ministry of Justice.