

UNOFFICIAL TRANSLATION

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Regulation on Dewatering for Construction and Other Industrial Projects

Disclaimer: "Take careful note that the official text is the Dhivehi version of this regulation, and it shall prevail over any differences over the original text, please refer to the original Dhivehi text in case any questions of accuracy arises. The unofficial English translations are provided and made available as a courtesy, and for reference only. The unofficial text is deemed correct at the time of translation."

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Ministry of Environment
Male,
Republic of Maldives.

Regulation on Dewatering for Construction and Other Industrial Projects

Introduction	1.	(a)	Pursuant to section 58 (a) and section 21 of the Law number 8/2020 (Water and Sewerage Act), this regulation provides safe and environmentally friendly procedures that shall be followed in the ground water withdrawal and dewatering through land drainage or through discharging to the sea by construction sites and other industrial projects in the islands of the Maldives.
		(b)	This Regulation shall be titled as the “ Regulation on Dewatering for Construction and Other Industrial Projects ”.
Objective	2.		The main objective of this regulation is, to protect and conserve groundwater lenses during the process of extraction and dewatering in the course of construction and carrying out other industrial activities within the islands of the Maldives, as well as to preserve the ecological systems, living environments and to ensure public health during the dewatering process.
Enforcement of the regulation	3.		This regulation will be enforced by the Utility Regulatory Authority (URA).

Use of natural water resources in a sustainable manner	4.	(a)	All-natural resources of water within the territory of the Maldives belongs to the state of the Republic of the Maldives.
		(b)	It is the responsibility of government authorities and the individuals to protect and sustainably manage all of the natural water resources in the Maldives.
		(c)	Pursuant to the procedures specified in this regulation, any or all construction or industrial projects being carried out in the islands of the Maldives shall obtain written dewatering permits from the Authority or person assigned by the Authority prior to the start of any dewatering activity.
Exception	5.		The following circumstances are exceptions to this regulation:
		(a)	A water well-constructed to extract ground water for individual's own use, or ground water is extracted from such wells and is discharged into the ground for cleaning purposes.
		(b)	Extraction of water by drilling boreholes, use of the extracted water, disposal of the water into the ground or discharge water to the sea.
		(c)	Disposal of water from sources other than groundwater into the ground or discharged to the sea.
Application for permission to discharge water extracted from the	6.	(a)	For anyone intending to dispose of ground water into the ground or to the sea, written approval shall be obtained by submitting the completed form in Annex 1 with the necessary documents to the Authority or person assigned by the Authority.

ground into ground or into the sea			
		(b)	If there are households or agricultural lands present within 100 (One Hundred) meters of the site for groundwater extraction, the applicant with dewatering permit shall give written notice to the landlords of the households and agricultural lands after consulting with the respective Island Councils.
Administrative Fee	7.		In addition to the completed form in Annex 1, the applicant requesting to the dewatering permit shall pay an administrative fee of 100/- (One Hundred) Maldivian Rufiyaa to the Authority or to the government entity assigned by the Authority.
Analysis of ground water before applying for permission	8.	(a)	Along with the application form in Annex 1 for permission for dewatering, the applicant shall submit the water analysis report specified in subsection (d) of this section. This test shall be conducted by a laboratory approved by the government administration.
		(b)	If the Authority is uncertain of the water analysis, the Authority reserves the right to order a re-analysis of the water.
		(c)	The water analysis report submitted under subsection (a) of this section shall not be dated more than 45 (Forty-Five) days from the date of analysis by the laboratory.
		(d)	The following parameters shall be present in the water analysis report.

		(1)	pH value of the water (pH)
		(2)	Temperature (Temperature, °C)
		(3)	Total dissolved solids (TDS, mg/l)
		(4)	Dissolved Oxygen level in the water (DO, mg/l)
		(5)	Electrical conductivity (EC, µS/cm)
		(6)	Turbidity of water (NTU)
		(7)	Concentration of Hydrogen Sulfide present in the water (H ₂ S, mg/l)
		(8)	Fecal coliform levels in the water (CFU/100)
		(9)	Concentration of Ammonia present in the water (NH ₃ , mg/l)
		(10)	Concentration of Hydrogen Sulfide present in the water (H ₂ S, mg/l)
		(11)	Concentration of Nitrates present in the water (mg/l)
		(12)	Concentration of Phosphates present in the water (mg/l)
		(13)	Concentration of Hydrocarbon present in the water (mg/l)
		(14)	Concentration of oil and grease present in the water (mg/l)
		(e)	If a test mentioned in the subsection (d) of this section cannot be conducted in any laboratory in the Maldives, it shall be expressed on the result slip or analysis report.
		(f)	In the circumstance that a type of water test mentioned in subsection (d) of this section cannot be conducted in Maldives, the Authority may grant permission to dewater without the result of the said test.
The permission to discharge	9.	(a)	The permission to discharge groundwater into the sea shall only be given if the island does not have sufficient space to drain the water into the ground, or if draining the water into the ground could cause

groundwater into the sea			harm to the water lenses, or ecological environment, or public health or any materialistic possessions.
		(b)	The permission to discharge of groundwater into the sea shall only be granted by the Authority or a person assigned by the Authority.
		(c)	The period of the permission to discharge groundwater into the sea can be determined after inquiring following details:
		(1)	Size of the dewatering land;
		(2)	Quality of the water;
		(3)	Work schedule
		(4)	Method of discharging the groundwater;
		(5)	Discharge area
		(d)	Pursuant to subsection (c) of this section, the longest period for the dewatering without a break that can be allowed is for 28 (Twenty Eight) days, with the inclusion of public holidays.
		(e)	Projects which require dewatering and where work is expected to commence within the time period specified in subsection (d) of this section, an application for a permit under this section shall be submitted as a single permit with a dewatering plan for the entire project.

		(f)	In compliance with this regulation, permission to dewatering shall only be granted upon clearance of all unpaid payments by the applicant to the Authority
Determination of impacted areas and supply of water	10.	(a)	For the purpose of this regulation, if the water extracted from an area is not drained within 30 (Thirty) meters of the surrounding area, all the households and buildings within 30 (Thirty) meters of the said area shall be considered as adversely impacted, either by not draining the groundwater within 30 (Thirty) meters of the area, or by discharging the groundwater into the sea.
		(b)	Applicants with the dewatering permission shall give written notice which includes the detail information of the permission, to all households and places referred in subsection (a) of this section within 24 (Twenty-Four) hours prior to the commencement of the work.
		(c)	Due to dewatering activity, if any areas mentioned in subsection (a) of this section endures difficulty obtaining well water, regardless of the quality of the water, it is the responsibility of the applicant with the permit to provide clean water according to them, according to their usual daily needs.
		(d)	Given the circumstances, if the situation enclosed in subsection (c) of this section occurs, the Authority shall ensure that the applicant is providing water in accordance with subsection (c) of this section. If applicant fails to comply with the subsection(c) of this section, Authority may revoke the permission granted to the applicant to use dewatering and hold the right to stop the work of the project.

		(e)	An applicant with permission to carry out dewatering work shall take responsibility if any damage is caused to any place or building or building structure in the area referred in subsection (a) of this section.
		(f)	One of the following two methods can be adopted to provide water under the subsection (c) of this section,
		(1)	On request, clean water shall be provided by the permit holder to the households of an affected area during the period of dewatering. Thus, each household with an area for cooking must be provided at least 250 (Two Hundred and Fifty) Liters of clean water daily by the permit holder.
		(2)	The amount of money required to purchase 250 (Two Hundred and Fifty) Liters of water as mentioned in subsection (f) (1) of this section can also be provided to the households affected. If a water supply system is not established in the respective island, the amount of money to be given can be agreed upon after discussion by both parties involved.
Management of water extracted from ground	11.	(a)	Groundwater extracted should be drained only on areas of the land approved by the city council or the island council. Moreover, the drained water quality should be similar or better than the groundwater quality of the area. If there is a circumstance where water should be discharged into the sea, the water should be treated properly, and the discharge should be free of silt/clay
		(b)	The discharge of groundwater extracted into the sea may be permitted if the analysis reports submitted pursuant to the section 8 of this regulation and form (attached in Annex 1), shows that the

			quality of the groundwater may cause contamination of the water lenses. In addition to this, if the city or island council concludes that there is not enough space available for draining water on land, water can be discharged into the sea.
		(c)	If groundwater extracted is to be discharged by pipeline, the pipelines shall be constructed on the road with the written permission of the island council or city council according to the criteria set by the council. It is the responsibility of the permit holder to repair and maintain the pipes during the time period and to remove and clean the pipe upon the expiry of the permit.
		(d)	Groundwater extracted should be discharged into the sea, after setting up sand and silt filters to ensure that it does not adversely affect the surrounding environment. In case of absolute need for groundwater discharge, it should be ensured that the discharge of groundwater would not cause irreparable damage to the environment.
		(e)	If the groundwater extracted is discharged through a sewerage system, it shall be the responsibility of the sewerage system service provider to make arrangements as mentioned in subsection (d) of this section. Furthermore, if water is discharged from a sewerage system, a written approval of no objection from the sewerage system service provider shall be submitted to government authorities.
		(f)	If groundwater extracted is being discharged through a sewerage system, a valve should be installed in the pipe used for dewatering

			to the sewer system to stop the outflow of water when needed. The valve shall be installed by the sewerage system service provider.
		(g)	During the dewatering period, the permit issued for dewatering shall be available for inspection whenever needed. The discharge sign shall be placed in the discharge area in such a way that it is publicly visible in accordance with the symbol shown in Annex 2 to this regulation.
Renewal of dewatering period	12.	(a)	Due to any circumstances, if the contractor finds that the work cannot be completed within the permitted period for dewatering, the contractor shall submit the form in Annex 3 of this regulation for renewal of the permit to the Authority or person designated by the authority 3 days prior to the expiry of the permitted period. These 3 (Three) days shall be counted excluding public holidays.
		(b)	The Authority or person assigned by the authority shall issue approval for the requested extension within 2 days of the submission of the completed form in Annex 3 of this regulation with the required documents.
		(c)	Duration of the Permits issued under this section, can be allowed, if 6 (six) months has not elapsed from the issue date of the respective permit. Permits which exceed 6 months duration from the date of issue cannot be renewed and shall require new permits to carry out the dewatering work. The validity of the permit under this section can be extended if the permit issued under section 9 of this regulation is less than 6 (six) months. Dewatering permits exceeding 6 (six) months shall request for new permit.

Dewatering administration fees	13.	(a)	A non-refundable fee must be paid by the applicants requesting for dewatering permits, to the Authority or person assigned by the Authority as per the procedures below.
			(1) For the initial permit of the 28 (Twenty-Eight) day period to carry out dewatering activities, a fee of 500/- (Five Hundred) Maldivian Rufiyaa must be paid daily;
			(2) The first extension of the dewatering permit, a fee of 1,000/- (One Thousand) Maldivian Rufiyaa must be paid daily;
			(3) The second extension of the dewatering permit, a fee of 1,500/- (One Thousand Five Hundred) Maldivian Rufiyaa must be paid daily;
			(4) From the third extension of the permit, the rate of daily fee shall be increased by 2,000/- (Two Thousand) MVR for each extension.
		(b)	A day, without any additional charge, shall be extended for each day that elapses during the permitted period due to weather conditions, a natural disaster, or Acts of God.
		(c)	The days mentioned in subsection (b) of this section shall be determined after considering the information provided by the relevant government authorities.
Maintaining Statistical data	14.	(a)	The following statistical data regarding the dewatering permits shall be maintained by the Authority or the agency issuing the permit.

		(1)	Quality of water;
		(2)	Amount of water disposed (Using Cubic Meter);
		(3)	Permitted period for dewatering;
		(4)	Time spent for dewatering
		(b)	If the sewerage system service provider allows dewatering through the sewer systems under this regulation, the service provider shall submit the total amount of water discharged by each individual party for the previous month to the Authority who issued the permit for dewatering within the first 10 (ten) days of every calendar month.
Cessation of dewatering	15.	(a)	The power to cease work is given to the government authorities or the person assigned by the authorities, if an individual does not have a valid permit to collect and dispose groundwater, or is violating the rules of the permit, the government authorities or any other officials who halted the project will not be responsible for any losses incurred.
		(b)	If the work on a project is being ceased by government officials or any other authorities, according to section (a) of this article, a written notice must be sent to inform the individual of their violation.
Notifying violations	16.		Any individual committing an action mentioned in Article 18 of this Act will be informed of their violation with a written notice sent by government authorities or the person assigned by the authorities.
Reporting to Authority	17.	(a)	As stated in article 16, upon receiving the notice of violation, the individual must explain the situation in writing within 3 (three) days

			and explain the situation to the government authorities or the person assigned by the authorities. Public holidays will not be included in the 3 (three) days mentioned.
		(b)	If the written document mentioned in section (a) of this Article is not presented within the stated time period, it will be concluded that the individual in question did not resolve the issue. Therefore, as stated in Article 18 of this document, the authorities may lawfully take appropriate actions against the individual.
		(c)	The authorities have the option to increase the time period stated in subsection (a) of this section if the individual requests
Stating the punishment	18.		If an individual violates this law their punishment will be stated according to the following principles.
		(a)	The punishment for intentionally disclosing incorrect information by an individual to an Authority or a ministry, or intentionally disclosing incorrect information by an Authority or ministry to an individual, is to be fined for an amount not more than 50,000/- (Fifty Thousand) Maldivian Rufiyaa.
		(b)	Failure to provide information requested by government authorities and ministries or authorities selected by governments and ministries, within the requested time period without a valid reason, can be fined for an amount not more than 5,000/- (Five Thousand) Maldivian Rufiyaa.
		(c)	If an enforcing officer of this Act prevent the execution of the laws, create difficulty implementing the laws, physically or mentally harms another officer, or makes it difficult for others to do their

			work can be fined by an amount between 5,000/- (Five Thousand) and 25,000/- (Twenty-Five Thousand) Maldivian Rufiyaa. Any additional criminal activity conducted by an officer can be investigated by the respective authorities.
Commencement of this regulation	19.	(a)	This regulation will come into effect after its publication in the Government Gazette.
		(b)	Upon the enactment of this Regulation, the regulation number R-1697/2013 (The regulation of collecting and disposing groundwater), Regulation number R-6/2014 (The 1st reform to the law of collecting and disposing groundwater), and the law number R-42/2020 (The 2st reform to the Law of collecting and disposing groundwater) is repealed.
Definitions	20.		Unless otherwise stated in this regulation, the following words and phrases shall be interpreted as specified below.
		(a)	“Dewatering” shall mean extracting groundwater for construction or other industrial purposes using a device such as a pump and discharging it to the sea or elsewhere.
		(b)	“Authority” shall mean the “Utility Regulatory Authority” established under Law number 26/2020 (Utility Regulatory Authority Law).
		(c)	“Ministry” shall mean the Ministry mandated with the responsibility of implementing the Water and Sewerage Policy.
		(d)	“Enforcing officer” shall mean the individuals hired by the government authorities or other officials to implement the laws highlighted in this Act.
		(e)	“Groundwater being pumped from a well for disposal on land” shall mean the circumstances where a citizen removes groundwater from

			a well in order to clean the well. This excludes the use of a pump to get water out of a well.
		(f)	“Groundwater lenses” shall mean the freshwater lenses formed naturally underground of every island. The area of these groundwater lenses will be determined starting from where the water appears from the ground until the salinity and electrical conductivity reaches that of seawater.



Utility Regulatory Authority

Male,
Maldives.

Dewatering Permit Application Form

Application form											
*This form consists of 6 sections. Please fill all of the sections.				Form number:							
*This form must be filled with blue or black pen				(For office use only)							
Section 1		Area of work									
Address:											
Details of the work:											
Work starting date:	Year:	Month:	Day:	Work ending date:	Year:	Month:	Day:				
Level of groundwater lenses (Distance between the land and groundwater lens):				Meter:	Area of dewatering:		Square meter:				
Section 2		Information of site owner									
Name:				Phone Number:							
Address:				Email Address:							
Date:	Year:	Month:	Day:	Identification Card Number:							
Signature:											
Section 3		Information of applicant		<input type="checkbox"/> Contractor		<input type="checkbox"/> Consultant		<input type="checkbox"/> Company		<input type="checkbox"/> Individual	
Name:			Phone Number:			Fax Number:					
Address:				Email Address:							
Company Stamp:				Date:	Year:	Month:	Day:				
				Signature:							

Section 4		Site Engineer					
Name:				Email:			
Address:				Date:	Year:	Month:	Day:
Identification Card Number:				Passport Number (Foreigners Only):			
Phone Number:		Signature:		Work Permit Number (Foreigners Only):			
Section 5		Information of the Pump		Section 6		Informing the council before starting work	

Pumping rate (per second):	Liters:	Stamp of City or Island council	
Time period of required pumping:			

Declaration of the applicant

I declare that I am requesting to dewater, for the purpose of construction and other industrial use, and will be doing so responsibly with the knowledge of its regulations. Additionally, I am willing to be held responsible for any environmental damages, societal issues or any issues with the law, due to my activities. I will do everything in my capability to resolve any of the mentioned issues which might occur, which includes paying for any damages. I acknowledge that all of the information provided in this document is true. Therefore, I request to obtain the permit to collect and dispose of groundwater as explained in this form.

Name: _____ I.D. Card Number: _____
 Date: _____ Signature: _____

Additional material needed to be submitted with this form

- The water quality analysis mentioned under the Article number 8(d) of the Regulations for Using Groundwater for Construction and Other Industrial Use (groundwater of the work site).....
- Written permission of the owner of the land.....
- Site plan (with the city or island council stamp).....
- Foundation plan/drawing (with the city or island council stamp).....
- If the construction is taller than 11 floors, E.I.A decision statement.....
- Information of the pump.....
- If waterpipes are being used on the road, a written permission of the council, and if sewage system is being used, a written permission of the sewage system service provider with the working dates.....
- Section plan/ drawing (with the city or island council stamp).....
- 100/- Maldivian Rufiyaa as administration fee.....

- Work schedule/ details regarding the work being done (work details, starting date, ending date, time required for each step of the work separately. Additionally, the stamp and signature of the company and the signature of the house or land owner signifying their consent)

For office use only

Name of the receiving officer: _____
 Date: _____ Year: _____ Month: _____ Day: _____

Signature: _____

The payments detail regarding the extension of the working period is mentioned below

The fee for the first-time permit given for the 28 (Twenty-Eight) day period to extract and dispose groundwater is 500/- (Five hundred) Maldivian Rufiyaa per day.
The fee for the first extension of the time period requested to extract and dispose groundwater is 1,000/- (One Thousand) Maldivian Rufiyaa per day.
The fee for a second extension of the time period requested to extract and dispose groundwater is 1,500/- (One Thousand and Five Hundred) Maldivian Rufiyaa per day.
The fee for a third time or more extension of the time requested required to extract and dispose groundwater is 2,000/- (Two Thousand) Maldivian Rufiyaa per day.

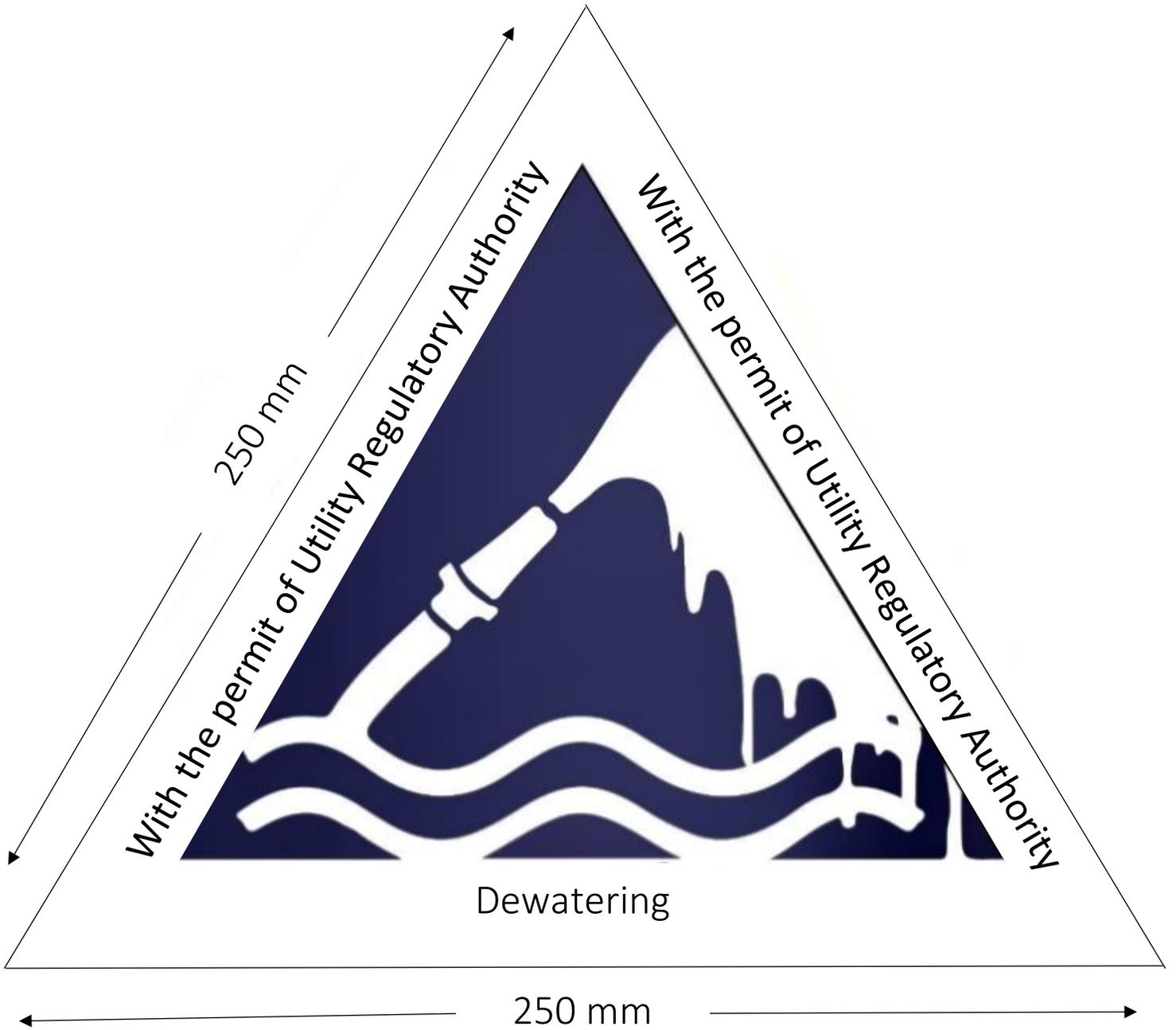
For office use only

As an application fee..... Maldivian Rufiyaa is to be paid.

Name: _____ Date: _____

Signature: _____

Annex 2



Annex 3



Utility Regulatory Authority

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Dewatering Permit Extension Form

Application Form	
() Request to extend time period to collect and dispose of groundwater.	Form Number: (For office use only)
() Request to replace the working days during which work could not be completed due to heavy rain or other legitimate reasons.	
*This form is split into 5 sections. Please complete all of the sections. This form should be completed with blue or black pen with can be read without difficulty.	
Section 1	Area of work
Area/ Address:	Registry number:
Road:	Island:
Area in which groundwater will be dispose:	
Section 2	Information of the applicant
Name:	ID Card/ Passport/ Work permit number:
Mobile phone number:	Email address:
Section 3	Dewatering of extracted groundwater
First permit number:	Receiving date of first permit:
Due date of the first permit:	Requesting date to resume work:
Number of days of work extension requested:	Number of times requesting for extension:
<ul style="list-style-type: none"> Note: The maximum number of days an extension can be granted is 28 (Twenty-Eight) Days. These days will be counted with the inclusion of public holidays. 	
Section 4	Information of site engineer
Name:	ID Card/ Passport/ Work permit number:
Mobile phone number:	Email address:
Statement of the head engineer of work (can be submitted in a separate paper):	

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Reason for incompleteness of work (can be submitted in a separate paper):		
Difficulties faced during work and steps taken to overcome them (can be submitted in a separate paper):		
Statements given above is true		
Signature of the engineer:	Date:	
Section 5: Declaration of the applicant		
I declare that I am requesting to dewater, for the purpose of construction and other industrial use, and will be doing so responsibly with the knowledge of its regulations. Additionally, I am willing to be held responsible for any environmental damages, societal issues or any issues with the law, due to my activities. I will do everything in my capability to resolve any of the mentioned issues which might occur, which includes paying for any damages. I acknowledge that all of the information provided in this document is true. Therefore, I request to extend the permit to collect and dispose of groundwater as explained in this form.		
Additional material to be submitted with this form		
	For the use of applicant	For office use only
New work schedule with the necessary modifications	()	()
If the work is being extended due to bad weather, or any other legitimate reason, a written notice of the relevant government authority.	()	()

Application Fee

The fee for first time extension of the time period requested to extract and dispose groundwater is 1,000/- (One Thousand) Maldivian Rufiyaa per day.
The fee for a second extension of the time period requested to extract and dispose groundwater is 1,500/- (One Thousand and Five Hundred) Maldivian Rufiyaa per day.
The fee for a third time or more extension of the time period requested to extract and dispose groundwater is 2,000/- (Two Thousand) Maldivian Rufiyaa per day.

For office use only	
As an application fee..... Maldivian Rufiyaa is to be paid.	
Name:	Date:
Additional statement:	Signature: