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Regulation On the General Standards Required in Accommodations Arranged by Employers for their Employees

Ministry of Economic Development

Male' Maldives

Regulation On the General Standards Required in Accommodations Arranged by Employers for their Employees

Introduction	1	(a)	This Regulation sets out the general standards required in places arranged for accommodation by employers for their employees to reside or sleep in and the basic amenities that shall be available in these places for the said purpose.
		(b)	This Regulation is formulated under subsection (c) of section 75-1 of Act no: 2/2008 (Employment Act)
Title	2		This Act shall be titled, "Regulation on the General Standards Required in Accommodations Arranged by Employers for Their Employees".
Complying with general standards	3	(a)	If the employer is facilitating an accommodation for employees to reside or sleep, the allocated place must adhere to the standards specified in the Annex (1) of this regulation.
		(b)	This Regulation does not discourage an employer from providing employees with accommodation, facilities, or resources with better rights or allowances than the general standards set out in Annex (1) of this Regulation.
Penalties	4		The Ministry has the authority to impose a fine not exceeding MVR 2,000 (two thousand Rufiyaa) on those who violate the standards set out in this Regulation.
Commencement	5		This Regulation will come into effect within six months of its publication in the Government Gazette.
Definitions	6		Unless otherwise stated in this Regulation, the following words and phrases shall be interpreted as specified below:
		(a)	"Act" refers to Act No. 2/2008 (Employment Act).
		(b)	"Accommodation" refers to the places allocated by the employer for

			foreign (employees) to reside.
		(d)	“Minister” refers to the minister responsible for the Ministry mandated with the administration of matters relating to employment under the Employment Act at any given time or any other person acting in his or her capacity.
		(e)	“Ministry” refers to the ministry mandated with the responsibility of regulating matters related to employment.
		(f)	“Employer” refers to each person, company, government, or organization that employs a person in accordance with an employment contract to carry out a work. This definition includes those who seek services from non-independent contractors, heirs of the employers, those who act in the capacity of employers and successors in title of the employer.
		(g)	“Employee” refers to, a person who provides services pursuant to an employment contract. This definition includes non-independent contractors and those who worked previously for the employer.

Annex 1

General Standards Required in Accommodations Arranged by Employers for their Employees

General Standards	1	(a)	Accommodation allocated for employees working in Maldives shall provide shelter (except for the purpose of ventilation) from rain and Sun and provide protection from similar natural phenomenon. These places shall maintain a reasonable temperature and shall be constructed using appropriate construction equipment.
		(b)	If an accommodation is allocated near a construction site, there shall be a boundary between the accommodation and the construction site.
		(c)	The inside and the outside of the boundary area referred to in subsection (b) of this section shall be maintained clean and free from debris and garbage.
		(d)	A minimum distance of 1.5 (one point five) meters shall be kept between the accommodation facility and the construction site referred to in subsection (b) of this section.
		(e)	The design of amenities for common use in the building stairs and walkways shall be in accordance with Act no.4/2017 (Construction Act) and the regulations formulated under the said Act.
Lighting	2		Areas designated for sleeping (rooms) shall have access to sufficient natural lighting or artificial lighting.
Air circulation	3		Accommodation facilities allocated for employees to live or sleep in, shall have access to appropriate air circulation and cross ventilation.
Size of place	4	(a)	Accommodation allocated for employees shall have the following minimum dimensions.
		(1)	In an accommodation for one person, the floor area shall be at least 3.78 (three points seven eight) square meters, height at least 2.8 (two point eight) meters (at any point), and the width at least 1.5 (one point five) meters (from any direction); or
		(2)	In an accommodation for a maximum of two people with bunk

				beds arranged for sleeping, the floor area shall be at least 5.13 (five point one three) square meters and the height at least 3 (three) meters (at any point).
			(3)	In an accommodation for a maximum two people with two single beds arranged for sleeping, the floor area shall be at least 6.84 (six point eight four) square meters, height at least 2.8 (two point Eight) meters (from any point), and width must be at least 1.8 (one point eight) meters (from any direction).
			(4)	In an accommodation for a maximum of 4 (four) people, with 2 bunk beds arranged for sleeping; the floor area shall be at least 8.55 (eight point five five) square meters, height at least 2.8 (two point eight) meters (from any side), and width shall be at least 1.9 (one point nine) meters (from any direction).
			(5)	In accommodations with two single beds (where there are more than 2 beds, one person per bed) the floor area shall be at least 3.24 (three point two four) square meters, the height at least 2.8 (two point eight) meters (from any point), and the width must be 1.8 (one point eight) meters (from any direction).
			(6)	In accommodation facilities located in a construction site, the ceiling shall be at a height not less than 2.8 (two point eight) meters. In rooms used for sleeping, in addition to single, double or bunk beds, a cupboard like facility shall be provided to keep personal belongings. There shall be a distance of 1 (one) meter between any 2 beds. If bunk beds are used, in addition to the 1 (one) meter distance between the beds, the vertical distance between the lower bed and the upper bed shall not be less than 900 (nine hundred) millimeters. The height of the room shall increase accordingly if the number of beds bunked one over the other increases.
			(7)	Except in the case of married couples, a room used by 2 (two) or more persons to sleep in, shall be assigned to people of the same sex.
Toilets and amenities for personal hygiene	5	(a)		If the toilets and the areas for washing and cleaning (laundry) are detached from the living area, these facilities must be provided for both sexes separately.
		(b)		Amenities provided under subsection (a) shall meet appropriate health and safety standards. In this regard there shall be at least one toilet for every 10 (ten) employees living in the accommodation.
		(c)		Toilets in a construction site shall not be more than 60 (sixty) meters from the sleeping area and shall not be closer than 5 (five) meters to the sleeping area, kitchen and mess room.
		(d)		The plumbing system of the toilets shall be laid in accordance with Regulation no: 2019/R-1020 (Building Code).
Water services	6			Accommodations allocated for employees shall be provided with water for drinking, cooking, bathing and washing which meets the standards set by World Health Organization.

Sewerage system	7		Accommodations allocated for employees shall have a sewerage system or a sewerage system which meets the standards required for proper hygiene.
Waste management	8		Accommodations allocated for employees shall have dustbins provided and a system for waste disposal shall be in place.
Food prep or cooking area	9	(a)	Kitchens or cooking areas in accommodations provided to employees shall be suitable for that purpose in accordance with health standards.
		(b)	Cooking in an accommodation established in a construction site where work is ongoing is prohibited.
Standards of safety, protection from incidents of fire and emergency actions	10	(a)	Employers shall ensure whether the accommodations provided for their employees have safety measures in place in accordance with laws and regulations.
		(b)	The procedure that must be followed in the event a fire breaks out or emergency befalls in an accommodation for employees shall be on display for everyone to see.
		(c)	To familiarize with the procedure which must be applied in the event a fire breaks out or in an emergency, a fire exercise drill shall be held twice a year.
		(d)	Employers shall ensure compliance with subsection (b) of this Act.
Safety measures	11	(a)	Employers shall ensure whether safety measures are in place in deciding an accommodation for employees.
		(b)	In an accommodation allocated for employees there shall be a means of safekeeping of valuables.
Maintenance	12		Employers shall ensure that maintenance services are regularly carried out in accommodations allocated for employees.
Service of convenience store	13		If the accommodation allocated for employees are not in an inhabited island or area, the employer shall put in place a mechanism to make available on sale, goods of general and common use conveniently.
Protection from contagious diseases	14	(a)	Employer shall inform to the Health Ministry, without delay, if an employee living in an accommodation allocated for employees are showing symptoms of a contagious disease.
		(b)	If an accommodation for employees is in an uninhabited island having a construction area and if the number of employees is more than 1000 (one thousand), there shall be a medical doctor specifically for that accommodation.
		(c)	If the number of employees is lesser than the number stated in subsection (b) of this section, a mechanism shall be put in place for employees to consult with a medical doctor or a health practitioner.
		(d)	Employers shall comply with the instructions from Health Protection Agency or any other State authority, requiring to put in place specific measures in accommodations for employees, to combat a health emergency or a contagious disease spreading in the community.
Pest control	15		Employers shall provide for pest controlling in accommodations allocated for employees in construction sites.
Place to pray	16		In the accommodations provided for employees at the worksite, employers shall establish a place for praying authorized by the relevant authorities or facilitate a way for employees to pray.

Accommodations specific employees	to	17	If a place is solely built for accommodating employees require to be registered or otherwise authorized by any relevant government authority, such authorizations must be duly sought.
exceptions		18	Employees who are employed to work on seafaring vessels and if the employer has allocated a vessel for their accommodation or sleeping, such employees shall be exempted from sections 4 to 7 of this Annexure.