



Unofficial translation of the

**FIRST AMENDMENT TO THE
AIRPORT TAXES AND FEES ACT**

14/2021

DISCLAIMER OF LIABILITY

This is the unofficial translation of the original Act in Dhivehi. In the event of conflict between this translation and the Dhivehi version of this Act, the latter shall prevail. Therefore, it is advised that both the Dhivehi version of this Act and this translation be read concurrently.

FIRST AMENDMENT TO THE AIRPORT TAXES AND FEES ACT

The Airport Taxes and Fees Act (Law Number 29/2016) shall be amended as follows:

1. Amend Section 1(a) of the aforementioned Act as follows:

- Introduction and citation**
1. (a) This Act prescribes all matters relating to the levying of Airport Service Charge and Departure Tax as taxes and Airport Development Fee as a fee, on passengers departing from the Maldives from an airport in the Maldives.

2. Insert a subsection after Section 2(b) of the aforementioned Act as follows:

2. (c) Airport Service Charge levied under this Section shall be repealed at the end of 31 December 2021.

3. Insert a section after Section 2 of the aforementioned Act as follows:

- Departure Tax**
- 2-1. (a) A tax in the name of Departure Tax shall be levied on passengers departing from the Maldives from an airport in the Maldives, as follows:

Travel class	Maldivian passengers	Foreign passengers
Economy class	12 (Twelve) United States Dollars	30 (Thirty) United States Dollars
Business class	60 (Sixty) United States Dollars	60 (Sixty) United States Dollars

First class	90 (Ninety) United States Dollars	90 (Ninety) United States Dollars
Private jet	120 (One Hundred and Twenty) United States Dollars	120 (One Hundred and Twenty) United States Dollars

- (b) Taxation under subsection (a) shall commence on 1 January 2022.
- (c) Persons with diplomatic immunity, transit passengers and children below the age of 2 (two) years shall be exempt from Departure Tax.

4. Amend Section 3(a) of the aforementioned Act as follows:

**Airport
Development
Fee**

3. (a) A fee in the name of Airport Development Fee shall be levied on each passenger, including transit passengers, departing from the Maldives via Velana International Airport, in addition to the Airport Service Charge specified in Section 2 of this Act and Departure Tax specified in Section 2-1 of this Act, as follows:

- (1) From 1 May 2017 till 31 December 2021:

Passengers	Amount (in United States Dollar)
Maldivian passengers	12 (Twelve)
Foreign passengers	25 (Twenty five)

- (2) From 1 January 2022 onwards:

Travel class	Maldivian passengers	Foreign passengers
Economy class	12 (Twelve) United States Dollars	30 (Thirty) United States Dollars

Business class	60 (Sixty) United States Dollars	60 (Sixty) United States Dollars
First class	90 (Ninety) United States Dollars	90 (Ninety) United States Dollars
Private jet	120 (One Hundred and Twenty) United States Dollars	120 (One Hundred and Twenty) United States Dollars

5. Repeal subsection 3(c) of the aforementioned Act.
6. Amend the side heading of Section 4 and subsection 4(a) of the aforementioned Act as follows:

Responsibility of collecting Airport Service Charge, Airport Development Fee and Departure Tax	4. (a) It shall be the responsibility of airlines that operate scheduled flights to the Maldives to collect Airport Service Charge and Departure Tax in a manner determined by MIRA from passengers departing from the Maldives from an airport in the Maldives via that airline, to file the return specified in Section 5(a) of this Act, and to make full payment to the State in accordance with Section 6 of this Act.
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7. Amend Section 4(c) of the aforementioned Act as follows:

4.	(c) It shall be the responsibility of airport operators to collect Airport Service Charge and Departure Tax in a manner determined by MIRA from passengers departing from the Maldives from that airport on flights operated by persons other than airlines that operate scheduled flights to the Maldives, to file the return specified in Section 5(a)
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of this Act, and to make full payment to the State in accordance with Section 6 of this Act.

8. Amend subsections 5(a) and 5(b) of the aforementioned Act as follows:

**Return
submission**

5. (a) For each calendar month, a return which includes information about passengers who departed from the Maldives from an airport in the Maldives during that month and the amount of Airport Service Charge or departure Tax and Airport Development Fee payable by such passengers, shall be prepared in a format prescribed by MIRA, and submitted to MIRA by the 28th day of the following month.
- (b) The return specified in subsection (a) shall be submitted within the specified period even if no passengers who are subject to Airport Service Charge, Departure Tax or Airport Development Fee departed from the Maldives during that month.

9. Amend Section 6 of the aforementioned Act as follows:

**Payment of Airport
Service Charge,
Airport
Development Fee
and Departure Tax**

6. (a) The amount of Airport Service Charge, Departure Tax and Airport Development Fee declared as payable in the return prepared in accordance with Section 5(a) of this Act shall be paid to MIRA by the due date for filing the return for that month.
- (b) Airport Service Charge, Departure Tax and Airport Development Fee shall be paid to MIRA in United States Dollars.
- (c) Where the Airport Service Charge, Departure Tax and Airport Development Fee payable pursuant to this Section is not paid to MIRA by the date due, the person shall be fined in accordance with the Tax Administration Act (Law Number 3/2010).

10. Amend Section 8 of the aforementioned Act as follows:

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| Irrecoverable
debt | 8. | The amount of Airport Service Charge, Departure Tax or Airport Development Fee receivable by an airline or airport operator from a third party but not recovered, shall be deductible as an irrecoverable debt in accordance with a procedure determined in the Regulation made pursuant to this Act. |
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11. Insert a section after Section 8 of the aforementioned Act as follows:

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| Refund of taxes
and fees
collected in
contravention
of the law to the
passengers | 8-1. | <p>(a) Where a person not allowed to charge Airport Service Charge, Departure Tax or Airport Development Fee under the Act does charge Airport Service Charge, Departure Tax or Airport Development Fee, or where Airport Service Charge, Departure Tax or Airport Development Fee is charged to a person who is not required to pay it, or where Airport Service Charge, Departure Tax or Airport Development Fee charged is more than the amount chargeable, the amount shall be refunded to the passenger by the deadline for submission of the respective Airport Taxes and Fees Return to MIRA.</p> <p>(b) Where an amount is not refunded to the passenger as pursuant to subsection (a), the amount shall be paid to MIRA.</p> |
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12. Amend Section 9(a) of the Act as follows:

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| Maintaining
records | 9. | <p>(a) The following records must be maintained by persons required to pay Airport Service Charge, Departure Tax and Airport Development Fee to ascertain that the amount payable is correct:</p> <p>(1) Invoices sent to various parties to collect Airport Service Charge, Departure Tax and Airport Development Fee receivable from such parties, receipts for payments received, and other written correspondence between such parties relating to collection of payments; and</p> |
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- (2) Flight manifest of flights operated by that airline, or of flights departing from that airport; and
- (3) Other information required under the regulation made pursuant to this Act.

13. Amend Section 12 of the aforementioned Act as follows:

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| Agreements
made before the
commencement
of this Act | 12. The provisions in agreements signed before the date of commencement of this Act which refer to Airport Service Charge or Departure Tax shall be void from the date of commencement of this Act to the extent such provision contradicts with this Act. |
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14. Insert a subsection after Section 13(b) of the aforementioned Act as follows:

- 13. (c) The transitional provisions on levying Departure Tax and Airport Development Fee on passengers who purchase tickets to travel on or after 1 January 2022 or for passengers who changes travel dates to 1 January 2022 or a later date, and, the criteria to determine the travel classes for the purpose of levying Departure Tax, shall be prescribed in the Regulation made pursuant to this Act.

15. The phrase "Ibrahim Nasir International Airport" shall be replaced with "Velana International Airport", wherever it appears in the aforementioned Act.

16. The Regulations required to be made pursuant to the amendments to the aforementioned Act by this Act shall be formulated and published in the Government Gazette before the expiry of 3 (three) months from the date of effect of this Act.

17. This Act shall have effect upon it being published in the Government Gazette following its passing and ratification.