



BHUTAN FILMING Regulation 2007

(For foreign filmmakers, companies and individuals)

(Issued under the Bhutan Information, Communications and
Media Act)

Minister
Ministry of Information & Communications
Thimphu : Bhutan

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Regulation Governing Filming in Bhutan

1. Legal Basis

This Regulation is issued pursuant to the Bhutan Information, Communications and Media Act 2006 (‘the Act’) to ensure that international filming activities within Bhutan conforms to the laws and regulations of the country and the local sensitivities, and to avoid negative impacts on the society.

2. Effective Date

This Regulation shall come into force from the 22nd Day of March 2007.

3. Scope of Application

This Regulation shall apply to all international filmmakers, companies and individuals who seek to engage in any filming activity in Bhutan with or without cooperation with any local film company, an individual producer, director or any other Bhutanese individual involved in filming making.

4. Amendments

This Regulation may be amended by the Minister of Ministry of Information and Communications as and when required, according to the needs and changes in national priorities, government policies and industry trends.

5. Definitions

In addition to the following terms, or unless the context requires otherwise, the words and terms used in this Regulation shall have the same meaning as assigned in the Act.

“Bhutanese Filming Company” means a film company licensed in Bhutan.

“Bhutanese Filmmaker” means a filmmaker who is a citizen or a permanent resident of Bhutan or a company registered in Bhutan.

“Development or Project related Filming Activities” means a filming activity being conducted strictly as a part of development-related projects currently implemented in Bhutan.

“Documentary” means a non-fiction film, shot on a location using actual persons and not actors, and focusing thematically on historical, scientific, social, or environmental subjects.

“Filming Activity” means any activity of engaging in the making of any films, documentaries or advertisements and photography related to a project or for a commercial gain.

“International Filmmaker” means a filmmaker employed by a foreign film company or an individual applying for filming permits from outside Bhutan.

“International Filming Company” means any foreign film company not licensed in Bhutan.



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“Local Counterpart” means a licensed Bhutanese tour agents handling travel arrangements for foreign filming teams and/or licensed filming companies or individuals and/or government agency handling filming arrangements in Bhutan.

6. Implementing Authority

The Bhutan InfoComm and Media Authority (‘the Authority’) shall be the sole authority to grant filming permits to foreign companies or filmmakers, and to implement and enforce this Regulation. Applications or proposals requesting filming permits shall be submitted to the Authority using the prescribed application form provided as Annexure 1 of this Regulation.

7. Requirement of film permit

- i. Any activities related to films, documentaries and advertisements shall be allowed in Bhutan only after obtaining a permit from the Authority. Applications must include details of all sequences to be filmed in Bhutan.
- ii. Shooting on restricted locations shall be subject to permission being granted by relevant authorities, wherein the foreign companies or individuals should obtain a written permission from individual organizations, after obtaining a filming permit from the Authority.
- iii. The permit shall not be transferable.

8. Fees, Security Deposit and Exemption for filming

8.1 Fees

A stated filming royalty fee, in terms of United States Dollars, shall be payable to the Authority along with a security deposit as per Clause 8.2 of this Regulation. This security deposit shall be refunded subject to clause 8.3 of this Regulation:

Sl. No.	Types	Royalty Payable	Security Deposit	Total
1	TV Documentary	USD 3,000/-	USD 2,000/-	USD 5,000/-
2	Films	USD 10,000/-	USD 2,000/-	USD 12,000/-
3	Advertisement	USD 5,000/-	USD 2,000/-	USD 7,000/-
4	Music Video	USD 3,000/-	USD 2,000/-	USD 5,000/-
5	TV Series	USD 3,000/- per episode	USD 2,000/-	USD 5,000/-



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The filming fee as stated above shall apply to all filming activities irrespective of whether they are for **non-profit, project related, developmental, promotional and educational films made by a development partner with the government, Bhutanese NGOs and other licensed organizations.**

There shall be no exemption of the fee under any other circumstances, except if there are bilateral/multilateral agreements with the Government of Bhutan stating that the applicant is entitled to licences or permits free of charge.

8.2 Security Deposit

The security deposit shall be applicable to all types of filming activities carried out in Bhutan. The security deposit paid shall be forfeited if the requirements of Clause 8.3 of this Regulation are not met. However, the Authority shall not be liable for the payment of any direct or indirect interests on the security amount deposited with it as per this provision.

8.3. Preview of production

- i. Documentaries and Films: The Authority shall preview the documentaries and films made. The filmmakers shall be required to make changes, if any, to the part or parts of the film, as required by the Examiners. One copy each of the final edited version of the film shall be submitted to the Authority for its records. The security deposit shall be refunded on receipt of the final films.
- ii. Project-related films: Any project-related films or documentaries made with a government partner shall be previewed by the individual ministry or government organization concerned, wherein a member of the Authority shall be present. The government partners for these films shall be responsible for submitting a copy of the final film to the Authority for record.
- iii. The Bhutan InfoComm and Media Authority reserves the right to use the copies of the films submitted for public viewing through the national broadcaster. This however will not apply to feature/commercial films.

9. Media Development Fund

All filming royalty fees collected shall be retained and deposited into the Media Development Fund, a sub-fund created under the Universal Service Fund as per Section 57 of the Act, to be administered by the Authority.

10. Conditions for Filming

10.1 Requirements for filming

The following conditions shall be followed while filming in Bhutan:

- i. The film company shall apply for and obtain the permit before filming in Bhutan;
- ii. The film company shall appoint a registered or licensed local counterpart to handle its travel arrangements;


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- iii. Visa formalities shall be based on the filming permit issued by the Authority, and it shall be the responsibility of the local counterpart to complete visa formalities;
- iv. The local counterpart involved in handling arrangements or sponsoring the film shall be responsible for ensuring full compliance to various provisions of this Regulation, the Act, or any other laws of Bhutan, by the members of the crew. The local counterpart shall also be responsible for briefing and ensuring that the international film crew understand local sensitivities and observe existing cultural norms;
- v. The film company shall not deviate from the subject and locations originally proposed in the application. Prior written permission of the Authority shall be obtained in case of any deviation from the original script and location;
- vi. Filming permits shall not in any way entitle the members of the crew to any right of access to restricted areas or establishments, nor shall it entitle them to any privileges with regard to space or special arrangements in festival premises;
- vii. The filming team must ensure that their activities do not in any way cause undue disturbances or inconvenience to the public. The team shall strictly abide by the code of conduct and other rules as stipulated by the local authorities;
- viii. In the case of special official media visits from other countries, the relevant government organization shall depute a liaison officer to accompany the visiting film team;
- ix. The producer shall observe all rules and regulations relating to import/export, customs and excise duties, relevant taxes, and foreign exchange, in connection with filming activities in Bhutan;
- x. Every film company or individuals shall be required to have insurance before beginning work in Bhutan to cover all liabilities. The local counterparts and government shall not be liable for any mishap that may occur during filming. Further, no film permit shall be granted without a valid insurance policy;
- xi. If the team abandons its plan of filming after obtaining the permit or decides to discontinue filming for any reasons, the processing fee paid shall not be refundable. The security deposit, however, shall be refunded provided the Authority is satisfied with the reasons and/or circumstances put forward by the company as the cause(s) leading to discontinuation of the filming programme, and that no filming activity has taken place. The permit shall stand cancelled thereby;
- xii. The Authority reserves the right to revoke a permit issued without assigning any reasons. In such cases the royalty paid and the security deposit made shall be refunded without any interest;



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- xiii. After completion of the film, the Authority shall require selected sequences of the film to be screened before the departure of the film crew. The Authority reserves the right to require the company to edit or remove any particular scene in the film which does not comply with existing rules and regulations; and
- xiv. Screening or broadcasting of the film shall not be done or allowed without first being reviewed by the relevant authorities.

10.2. Content

The following conditions with regard to contents should be followed and maintained by all the members of the crew:

- i. The tone and content of programming shall not in any way incite discrimination, hatred or violence against any individual or identifiable group based on race, national or ethnic origin, religion, gender, sexual orientation, age, disability, marital or family status, or political affiliation;
- ii. Violence shall be neither glorified, exploited nor used out of context;
- iii. Utmost care should be taken with regard to the sensitivity of the portrayal of matters relating to gender, children and youth;
- iv. Programmes must not provoke domestic, international, religious or political conflicts;
- v. Pornography, either in words expressed or depicted, or in any other form shall not be permitted;
- vi. Any matter invading privacy of life, home or correspondence of any person shall not be portrayed without the subject's expressed and written consent; and
- vii. Documentaries shall not engage in publicizing information that is false, and not authenticated. They should always seek a true source of information.

10.3. Filming in restricted locations

Any filming activities at certain restricted locations such as Dzongs, monasteries, national parks, mountain peaks and other protected areas, private and public property, shall be carried out only with prior written permission and approval from the concerned authorities or individuals.



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10.4. Safety Considerations

For the safety of the cast, crew, and the public, all filmmakers shall:

- i. put in place such safety measures, such as fencing, safety nets, and any other safety considerations;
- ii. arrange adequate safety precautions wherever tracks, cranes and other heavy equipments are used, particularly in public areas. All equipment should be removed at the end of the filming activities, and where not possible, adequate precautions shall be taken to seal off the area to the public, in consultation with the Royal Bhutan Police or other concerned authorities; and
- iii. obtain written approval from the Department of Forest and the Royal Bhutan Police and other district or local authorities, if a particular scene(s) of the film require the use of fire works, special effects or filming especially in the forest. In addition to this written approval, the film production company should have adequate safety equipment (e.g. fire fighting equipment) and people on the set to prevent accidents.

10.5. Filming on highways

While filming on highways or on any motorable roads, the filming company shall:

- i. obtain the permission of the Road Safety and Transport Authority and the Traffic Police and inform district authorities before at least three days of filming;
- ii. not hold up traffic longer than periods specified in the permission given;
- iii. appropriately post sign boards to warn traffic about filming activities going on with information about the time of the closure and opening of the road, and requesting their cooperation; and
- iv. make announcements on public radio and other media informing people about filming activities to take place at a particular location at a particular time with information on time of the closure or opening of road(s).

10.6. Filming on state property

To film on state property, the filming company shall:

- i. apply in writing to the organization or agency concerned, informing them of the intention, date and plan for filming. Permission must be obtained in writing; and
- ii. contact the concerned agency at least three days in advance if officers are needed on location when the filming starts, and if local law enforcement should be involved.



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10.7. Filming in remote areas

For any filming activity to take place in remote places, the film company shall:

- i. inform the local district administrator; and
- ii. give adequate notice to inform the public of any filming activity in the areas.

10.8. Filming in crowded areas

For any filming activity to take place in crowded areas, the film company shall:

- i. give proper notification to the residents, public and business companies which may be affected by the filming activities; and
- ii. include in the notice the name of the company, name of the production, company contact, and type of activity and duration.

11. General code of professional responsibility on location

While filming, the following general code shall be followed:

- i. Production vehicles, cast and crew shall observe designated parking areas and rules;
- ii. All catering, construction and trash from the filming shall be removed from the location;
- iii. All production shall refrain from disturbing the peace and quiet of neighbourhoods and shall maintain noise levels as low as possible;
- iv. When using floodlights to film at night, permission shall be obtained from the municipal authorities and police, and the residents in the areas shall be informed;
- v. All sets and props shall be removed upon completion of filming;
- vi. All cast and crew shall respect the sensitivities of local communities; and
- vii. The production company shall comply with the provisions of the permit at all times.

12. Failure to Comply with the Regulation

Any person who contravenes or fails to comply with the provisions of this Regulation shall be guilty of an offence and shall be liable for any actions prescribed under the Act or the Bhutan Penal Code. In addition, the security deposit shall be forfeited, project stopped, and the filming company may be barred from future filming in Bhutan.



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Annex 1

Ministry of Information & Communications
Royal Government of Bhutan
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FILM PERMIT CLEARANCE APPLICATION FORM

Completed applications with full details, and synopsis of the project, should be submitted at least fifteen (15) working days in advance of the proposed filming activity to the InfoComm and Media Authority.

Ref No:

Date:

To:

The Director
Bhutan InfoComm and Media Authority
Thimphu: Bhutan

1. Type of Filming:

Film TV Documentary TV Series Student Film Music Video

Advertisement

Format: Still 16mm; 35mm; 70mm movie film Video Others

Budget: USD:

2. Production Title: _____

3. Company: _____

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Address: _____

Phone No: (Fixed) _____ : (Mobile) _____

4. Name of the Director: _____

5. Crew and Vehicles:

Total No. of Cast and Crew (attach their names and nationality):	
Total No. of Unit Vehicles:	Total No. of Crew vehicles:
Proposed Locations for Vehicle Parking:	

6. Filming Description:

Fx Gun Fire <input type="checkbox"/>	Fx Rain or Snow <input type="checkbox"/>	Car Stunt <input type="checkbox"/>	Fx Explosion <input type="checkbox"/>
Animals <input type="checkbox"/>	Tow Shot <input type="checkbox"/>	Loud Noise <input type="checkbox"/>	Helicopters/Aircraft <input type="checkbox"/>
Fx Fire <input type="checkbox"/>	Boats <input type="checkbox"/>	Road Control <input type="checkbox"/>	Public Notification <input type="checkbox"/>

General Description of scene(s) to be filmed including all special effects and stunts (attach additional sheet if needed, i.e. amount/type of explosives, animals, aircraft, etc.): _____



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7. Location Information

Describe the site and how it will be used (attach additional sheet if needed):

Location#1: _____ FilmDates: _____ Times: _____

Location#2: _____ FilmDates: _____ Times: _____

Location#3: _____ FilmDates: _____ Times: _____

Location#4: _____ FilmDates: _____ Times: _____

Location#5: _____ FilmDates: _____ Times: _____

(NB: For some specific locations permission has to be obtained from concerned authorities)

- 8. Synopsis of the film and filming programme explaining its background, theme, objective/purpose, etc. (Attach to this application).
- 9. Duration of the filming activity in the country.
- 10. Composition of the filming team/crews and list of filming equipment, accessories, consumables, etc. (Attach to this application).
- 11. A letter of recommendation/endorsement from the sponsoring company and/or agency, if any.
- 12. Any other additional information, as the ministry may require.

Project Questions

(Requires further clearance from relevant agencies if any answer is "YES")

	No	Yes
Will the filming occur between 10.00 pm and 7:00 am?	<input type="checkbox"/>	<input type="checkbox"/>
Will the Traffic on any public or private road be delayed for more then 3 minutes?	<input type="checkbox"/>	<input type="checkbox"/>

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Is a residence located within 2000 M of any gunfire, explosions, Aircraft, helicopters or other activities that create exceed levels normal for the area?	<input type="checkbox"/>	<input type="checkbox"/>
Will the production create light and glare exceeding that which is normal for the area	<input type="checkbox"/>	<input type="checkbox"/>
Will dust be generated that will likely impact surrounding properties?	<input type="checkbox"/>	<input type="checkbox"/>
Will any wild or domestic animal be used in the project?	<input type="checkbox"/>	<input type="checkbox"/>
Will any hazardous materials be brought onto the site or used during the filming?	<input type="checkbox"/>	<input type="checkbox"/>

I/We hereby certify and declare that the above information is correct to the best of my/our knowledge and declare that if the filming permission is granted, I/We shall abide by the rules and regulations. I/We also undertake to make necessary modifications and changes and even redo the whole filming, if required by the Examiners. I/We also undertake not to include themes which will be against the interest of religious, cultural and the policies of the Royal Government of Bhutan. Further, I/We indemnify the Authority against any liability due to contravention of any rules, regulations and the laws of Bhutan by any member of the crew.

Date:

Place:

Name and Signature of the Applicant


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Annex 2

Bhutan InfoComm and Media Authority
Royal Government of Bhutan
Thimphu

FILM PERMIT

Ref: BICMA/

Date:

The following filming company is hereby granted permission to take films of the locations and the subject as mentioned hereunder:

1. Name of the filming company/team:
2. Country/Nationality of the applicant:
3. Location(s) of the shoot:
4. Title/Subject of the film:
5. Date of Commencement of the shoot:
6. Date of completion:

In granting this permit, it is hereby agreed that the company shall adhere to the Regulations Governing Filming in Bhutan, and fulfil other obligations as undertaken. Further, the company hereby indemnifies the Authority against any judicial process, litigation, or any other actions and liabilities due to contravention of any rules, regulations and the laws of Bhutan by any member of the crew.

Issuing Authority

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