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1. Introduction

The advancement of the technologies has enabled the advertisers to exercise a level of creativity in outdoor advertising. With the introduction of digital technology, many advertisers have now switched from traditional advertising to digital advertising using digital billboard. The digital billboard has now become a growing advertising medium offering wide range of exciting ways to engage with the customers for advocating products and services to increase their sales.

The digital advertising is a powerful branding tool which provides platform to organizations/individuals to make information and content available in desired locations with new interactive experiences to the customer. The emergence of digital billboards has made communication (advertisement) more interactive and dynamic. It has now become a powerful and effective means of audiovisual communication tool used for transmission of information.

2. Legal Basis

The Bhutan InfoComm and Media Authority (Authority) has prepared the following guidelines (“these Guidelines”) in exercise of its powers conferred by Sections 58 and 90 of the Information, Communications and Media Act 2018 (“the Act”) to set out the procedures for establishment and regulation of digital billboards in the country.

3. Title and Commencement

These Guidelines shall be called the “Guidelines for establishment and operation of digital billboard for advertising services.” hereinafter referred to as the ‘Guideline’ and shall come into force with effect from the 1st of April, 2019 corresponding to 27th of the Second month of the Bhutanese Earth Female Pig Year.

4. Scope of Application

These Guidelines shall:

- a) Apply to any organization or individuals who intend to establish digital billboard for advertising services ;
- b) Be implemented and enforced by the Local Government (Dzongkhag/Thromde) for establishment of digital billboards within their administrative jurisdiction.

5. Amendment

The Authority may amend the Guidelines as and when required to ensure relevance to current practices and such amendments shall be made according to the needs and changes in the national priorities, policies and industry trends.

6. Definition

Advertiser means any person who utilizes the print or electronic medium to advertise their products or services”.

Advertisement means an announcement of a public nature promoting the sale or purchase or provision of goods or services or constituting of an invitation to participate in an activity and conveyed by or through any signage, image or sound disseminated through any medium. Any communication which in the normal course would be recognized as an advertisement by the general public would be included in this definition even if it is carried free-of-charge for any reason.

Billboard means a structure utilized for advertisement.

Content means any information, sound, text, pictures (still or moving), other audio-visual representation, signal or intelligence of any nature or in any combination thereof which is capable of being created, processed, stored, retrieved or communicated electronically or in other form.

Digital means any pixel-based or like technology used to display and/or change the image and/or copy on a sign by electronic, digital, LED, video or similar technological means.

Digital Billboard means a billboard that displays digital images that are changed by a computer every few seconds and primarily used for advertising, but they can also serve public service purposes

7. Guidelines on the Establishment and Operation of Digital Billboard

7.1 Authorization for Establishment of Digital Billboard

- a) Any individual wishing to establish digital billboard shall apply to respective Local (Thromde or Dzongkhag) Administration along with the detail project proposal.
- b) The Local Administration shall review and validate the need for such establishment and accordingly recommend to the Authority for issuance of authorization.

7.2 Establishment of Digital Billboard

In order to ensure safety and maintain aesthetic, the following measures shall be taken into consideration while designing and establishing the digital billboard.

7.2.1 Appearance and location

- a) While designing the structure, due consideration shall be given for preserving and maintaining the aesthetic of the surrounding/ environment.
- b) Digital billboard shall not be established in front of any places of spiritual and heritage significance.

7.2.2 Safety

- a) To avoid driver distraction, the digital billboard shall not be allowed along the National Highway
- b) The illumination from the digital billboard should not glare or reflect onto any portion of an adjacent street or highway, the path of oncoming vehicles or any adjacent premises.
- c) A digital billboard should have ambient light monitor system to monitor and automatically adjust the brightness level of the display based on ambient light conditions. The maximum brightness levels for digital signs shall not exceed 0.2 (two tenths) foot-candles over ambient light levels measured within 150 feet of the source.

- d) The shape, colour, format of the digital billboard shall not obstructs driver's sightlines of road crossings, adjacent roadways or traffic intersecting roadways.
- e) No aerial electrical lines shall be allowed to provide power supply to the digital billboard.

7.3 Operation of Digital billboard

While operating the digital billboard, the following regulatory aspect shall strictly be followed:

7.3.1 Display of Content

The content display should not change more frequently than once every eight seconds, with a transition period of one second or less.

7.3.2 Content

- a) The content for the digital billboard shall strictly be as per the Rules on Content of the Authority.
- b) All foreign advertisements shall be translated or dubbed into the national language or English.
- c) Advertisements on medicine, health, food products shall be subjected to the Narcotic Drugs, Psychotropic Substances and Substance Abuse Act 2005, Medicines Act 2003, the Consumer Protection Act and any other relevant rules and regulations.
- d) Under no circumstances, the billboard shall contain a message or display that appears to flash, undulate, pulse, move, or portray explosions, fireworks, flashes of light, or blinking lights or otherwise appears to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or make other comparable movements.

7.3.3 Cost of Advertisement

- a) A Prior approval of the Authority shall be obtained for any cost associated with advertisement through digital billboard.
- b) There shall be different cost for social and commercial advertisements. The cost of social advertisement shall be much lower than that of the commercial advertisement.
- c) There shall not be any charges for disseminating the following messages:
 - Any messages of National interest;
 - Any cautionary messages during emergencies such as earthquake, flood and industrial disasters , explosions and terrorist attack; and
 - Messages to warn the general public of public health epidemic, endemic, public safety and national security.

8. Power of the Local Administration

The Local Administration shall have the authority to:

- a) Process the application for establishment of the Digital billboard and determine any applicable charges associated with such establishment.
- b) Draw terms and conditions for establishment and operation of Digital billboard.
- c) Monitor the operation of Digital billboard including imposing of penalties for any violation.