



# GUIDELINES FOR FILMING IN BHUTAN

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BHUTAN INFOCOMM AND MEDIA AUTHORITY  
ROYAL GOVERNMENT OF BHUTAN  
THIMPHU, BHUTAN



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# CHAPTER 1

## PRELIMINARY

### 1.1 Legal basis

In accordance with Section 34(1) of the Bhutan Information Communications and Media Act 2006, the Bhutan InfoComm and Media Authority (“the Authority”) hereby issues the “Guidelines for Filming in Bhutan”.

### 1.2 Title and Commencement

These Guidelines shall be called the “Guidelines for Filming in Bhutan” hereinafter referred to as the ‘Guidelines’ and shall come into force with effect from the 7<sup>th</sup> Day of March, 2017 corresponding to the 10<sup>th</sup> Day of the 1<sup>st</sup> Month of the Bhutanese Fire Female Bird Year.

### 1.3 Scope of application

The “Guidelines” shall apply to all national and international filmmakers, including individuals, governmental or non-governmental agencies as well as local counterparts, who seek to engage in any filming activity in Bhutan. These Guidelines shall be read in conjunction with the Bhutan Filming Regulation and the Rules on Content issued by the Authority.

### 1.4 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.

## 1.5 Interpretation

The Authority under the powers conferred by Section 27 (3) (s) and (t) of the Act shall have the power to interpret these Guidelines and may issue such instructions as may be necessary to give effect to and implement the provisions of these Guidelines.

## 1.6 Rules of Construction

In these Guidelines the words importing the masculine gender shall include the feminine gender and words in singular shall include the plural and vice versa.

## 1.7 Repeal

With the commencement of these Guidelines, the Filming Guidelines and Code of Practice is hereby repealed.

## 1.8 Definition

In addition to the following words and terms or unless the context otherwise requires, the words and terms used in these Guidelines shall have the same meaning as assigned in the Act:

“**Authority**” means the Bhutan InfoComm and Media Authority.

“**Children**” means any person who is under eighteen years of age.

“**Crew**” means a person hired by a production company for the purpose of producing a film.

“**Filmmaker**” means the person who makes the film such as the director or producer and who is also responsible for the conduct of his crew/team.

**“High level committee”** means the committee comprising of all the Heads of Departments or agencies which have been listed as stakeholders.

**“Local counterpart”** means the authorized travel agent in Bhutan and/or a licensed filming company or individual. It can also mean a government agency or an organization that has bilateral agreement with the government.

**“Local government”** means the Dzongkhag/Dungkhag/Thromde administration.

**“Permit”** means the clearance accorded for filming in Bhutan by the Authority.

**“Stakeholder”** means the Office of the Royal Media, Royal Bhutan Police, Tourism Council of Bhutan, Department of Law and Order, Department of Culture and the Department of Immigration of the Ministry of Home and Cultural Affairs (MoHCA), Ministry of Education and Ministry of Agriculture and Forests.

## CHAPTER 2

### FILMING GUIDELINES

#### 2.1 Objective

- (a) To ensure that the content of films respects local sensitivities and conforms to the social, cultural and traditional values of the Bhutanese people;
- (b) To safe-guard the existing sanctity and sacredness of our spiritual as well as our cultural and natural heritage;
- (c) To guide and provide clarity on issues concerning filming activities within the Kingdom of Bhutan;
- (d) To foster professionalism and enhance sustainability of the Bhutanese film industry through promotion and efficient utilization of locally available talent and resources; and
- (e) To encourage only the genuine and required foreign film crew in the country and restrict Bhutan as a rare filming destination. –

#### 2.2 Role of the Authority

- a) The Authority shall grant permission for filming within the Kingdom of Bhutan through issuance of a filming permit.
- b) For granting the filming permit, the Authority may seek clarification or advice from the relevant stakeholder on any controversial issue and for this purpose, the Authority shall request for a focal person in each of the organization listed as stakeholders.
- c) While issuing the filming permit, the Authority shall enter into an

agreement with the applicant specifying the terms and conditions, duties and responsibilities of the applicant.

- d) Issues that could not be decided by the focal person shall be submitted to the high level committee. The quorum for a decision to be adopted during the high level committee meeting shall be five (5) from the total of nine (9) members.
- e) The Authority shall assess, determine and approve the size of filming crews for international filming based on the type of film and availability of local resources.

### **2.3 Role of Stakeholder**

- a) Each stakeholder shall designate a focal person for the Authority, who shall ensure that the clarification/approval sought by the Authority for any controversial issues are conveyed expediently within three working days.

### **2.4 Role of the local government**

- a) The local government shall be responsible to monitor the filming activities in their area of jurisdiction and shall ensure that the filming activities take place in compliance to the existing rules and regulations. The Local Authority may take necessary action(s) including prohibiting the shooting of such film if these guidelines are not observed.

### **2.5 Role of film maker**

- (a) Any filmmaker, producer, company, an individual or group of individuals whether national or international intending to film in Bhutan shall apply for a filming permit from the Authority.

Filming permit 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;

- (b) The local film production company shall maximize the utilization of our locally available talent and resources and refrain from engaging foreign crew for production of films. Specialized professional and technical requirements shall be strictly evaluated by the Authority and approved only on a case by case basis; and
- (c) International film maker must be represented by a local counterpart, who shall apply for the filming permit to the Authority;
- (d) The local counterpart, who shall represent the international film maker shall:
  - Submit application for filming along with the list of crew members with justification for the requirement, curriculum vitae of each crew and any other documentary evidences that would facilitate in the assessment of the application;
  - Designate a competent focal person to accompany the filmmaker during the entire filming period;
  - Ensure that every member of the filming group has valid and proper immigration and other documents for the said purpose and ensure that only the approved personnel/equipment/vehicles/materials are used during the filming in Bhutan;
  - Ensure that the film is shot strictly as per the script and locations mentioned in the filming permit. In the event, any changes are required, formal approval of the Authority shall be obtained;

- Educate the international film crew to ensure that they understand and respect the local sensitivities and cultural norms;
- Encourage and promote the use of locally available resources, by coordinating with the international film maker to bring in only professional casts, specialized equipment and vehicles;
- Make certain that nothing detrimental to the image of Bhutan or the Bhutanese people is shot or included in the film. Should any disagreement arise in this respect, the matter should be immediately referred to the Authority;
- Not engage in publicizing information that is false and not authenticated;
- Submit the completed film to the Authority for review and delete portions of the film that may be found objectionable by the Authority before the film is screened to the public; and
- Ensure that the submitted copy of the film to the Authority is inserted with English subtitles if the film is in a language other than English.

## **2.6 General Filming Guidelines**

Any individual, company or a group of individuals or companies both national and foreign intending to film in Bhutan shall be guided by the following:

### **2.6.1 Culture and Tradition of Bhutan**

- a) No filming shall be allowed inside Dzongs and Lhakhangs. Filming of Dzongs and Lhakhangs is permitted only from outside at a distance of 200 meters away from such premises;

- b) Special approval may be accorded by the Authority after consultation with the relevant local government or Zhung Dratshang/Rabdheys for filming of Tshechu and other religious festivals. However, for this purpose, only filming of the Tshechu and dances shall be allowed and other restrictions shall apply as above;
- c) Prior written consent shall have to be obtained from the community or private individual for lhakhangs owned by them in the format prepared by the Authority under Annexure-1 of these Guidelines;
- d) No filming shall be allowed in the sacred sites (Nyes), Sacred Trees (La-Shing), sacred Lakes (La-Tso), house of deities (Goenkhang, Neykhang, Tsenkhang, Goelkhang) and any other sites considered sacred (as per the list compiled by the Department of Culture, MoHCA); and
- e) No filming scenes adversely affecting the culture and tradition of Bhutan shall be allowed. Historical/cultural places and costumes including masks and other ornaments which are considered sacred and of national heritage shall not be used for filming.

### **2.6.2 National Security**

- a) Filming of any scenes that may be detrimental to:
  - the sovereignty, security, unity and integrity of the country;
  - peace, stability and well-being of local area/district or the nation; and
  - friendly relationships with the foreign States shall be prohibited.

- b) Any scene that is likely to lead to an incitement of an offence or disclosure of information received in regard to the affairs of the State or in discharge of official duties or violates the rights and freedom of others shall not be allowed.

### **2.6.3 The content of the film**

While making film, the filmmaker shall:

- a) Strictly adhere to rules on content issued by the Authority;
- b) Prohibit any content that is indecent, obscene, or menacing in character, which offends good taste or decency; is offensive to public feeling; is likely to encourage crime or lead to disorder; or is abusive or threatening in nature.
- c) Not incite religious, ethnic, regional or communal conflicts;
- d) Exercise sensitivity and responsibility when producing films on religion and must aim at respecting and promoting spiritual harmony.
- e) Not use offensive or abusive words which could offend an individual, group of persons or a community;
- f) Refrain from depicting nudity and scenes that are obscene, depraved or vulgar taking into consideration the sensitivity of the Bhutanese society. Child pornography, including depiction of any part of the body of a minor which might be reasonably considered as sexual content is prohibited.
- g) Avoid scenes that are detrimental to the image of Bhutan or the Bhutanese people;

- h) Treat information, themes and subplots on sexual orientations such as homosexuality, lesbianism, as well as incest with utmost caution. Their treatment should not in any way promote, justify or glamorize such lifestyles. Explicit depictions of the above should be avoided.
- i) Use only fake firearms, bullets and explosives. The use of real firearms, ammunitions and explosives shall be prohibited;
- j) Avoid scenes that would encourage and influence people, especially youth and children to indulge in drugs, tobacco and alcohol abuse, violence, use of weapons and other criminal activities;
- k) Not include contents, which condones or glamorizes violence and which is likely to disrupt the social harmony and peace through promotion of antisocial behavior (e.g. hooliganism, vandalism, juvenile delinquency, riots, demonstrations, substance abuse);
- l) Not encourage or in any way discriminate any section of the community on account of gender, age, disability, religious or occupational status; and
- m) Avoid scenes that depict:
  - Involvement of children in violence as victims or perpetrators or as forced witnesses to violence or showing children as being subjected to any form of child abuse;
  - Abuse or ridicule of physically or mentally handicapped persons;
  - Cruelty or abuse of animal;

- Scenes of violence, cruelty and horror primarily intended to provide entertainment that may have the effect of de-sensitizing or de-humanizing people;
- Scenes with excessive violence or suffering such as close-up shots of persons being brutally tortured and killed, and visual depictions of sexual assault or rape scenes; and
- Scenes tending to encourage, glamorize, glorify or justifying the use of alcohol, tobacco and drugs.

## **2.7 General Provision**

While making film, the filmmaker shall:

- a) Strictly adhere to the provisions of the Bhutan Filming Regulations 2007 and other rules and regulations of the Royal Government of Bhutan;
- b) 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;
- c) Respect the culture and tradition of local people in the filming area;
- d) Clearly specify in the filming application on the use of specific costumes, service uniforms of armed forces, scouts and other government agencies/private security while applying for filming permit;
- e) Not shoot in restricted areas such as reserved forests, parks and other restricted areas without prior approval from the concerned agencies;

- f) Seek location clearance from relevant agencies or concerned local authorities if the film is to be shot under their areas of jurisdiction;
- g) Ensure that the involvement of children in the film is justified by the context and supported by a consent letter from the parent or legal guardian; and
- h) Obtain 'No Objection' from the concerned personality or his/her legal heir in case of any personality (living or dead) that is portrayed in the film as a character and submit it along with the script while obtaining the filming permit from the Authority.

## **2.8 Requirement for foreign filming crew**

Foreign filming crew wishing to visit Bhutan may be categorized into the following:

### **2.8.1 Foreign Filming Crew coming for their own film production**

- a. Need to identify and work together with a local counterpart for the entire shooting period.
- b. Along with the application form submitted through the local counterpart, submit a list of cast and crew members required for the film.
- c. The following documents shall be submitted for each cast and crew member:
  - Curriculum Vitae
  - Copy of passport
  - Certificates of qualifications
  - Documentary evidence of experience, awards received

and/or any other documents that support his/her experience in filmmaking.

- Accreditation and certification by recognized bodies.
  - Justification(s) for the need of each cast and crew members requested for the film.
  - Specialized equipment including vehicle that shall be brought into Bhutan, if any.
- d. Ensure that the foreign filming crew coming to Bhutan and the local crews shall be at the ratio of 60:40 respectively.

### **2.8.2 Foreign film crew hired by national production house**

- a. The local film production company shall strive to make maximum use of the locally available resources and refrain from inviting people from outside for filming purpose.
- b. However, if the circumstances demand for hiring a foreign film crew, the local film production company shall submit an application to the Authority.
- c. Along with the application, the following documents of each foreign crew to be hired shall be submitted to the Authority for assessment:
- Curriculum Vitae
  - Copy of passport
  - Certificates of qualification
  - Documentary evidence of experience, awards received and/or any other documents that support his/her experience in filmmaking.

- Accreditation and certification by recognized bodies.
  - Duration of his/her stay in the country
  - Justification for the requirement of foreign crew/crews
  - Recommendation letter from Bhutan Film Association
- d. Ensure that 90 per cent of the filming crews shall be Bhutanese nationals at all times.

**Consent letter from the owner(s) of the private Lhakhang to shoot film**

1. Name of the Producer:
2. Name of the film:
3. Name of the owner(s) of the Lhakhang:
4. Location of the Lhakhang:
5. Details of the scene to be filmed in the Lhakhang:
6. Consent from the owner(s) of the Lhakhang:

I/We hereby approve the use of part(s) of the lhakhang mentioned above in the said film and this approval does not extend to the use of part of the said lhakhang in any other films.

Full Name & Signature of the owner(s)

CID No:

Contact No.



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