



# **Rules and Regulations for Publication**

འབྲུག་འཛམ་གླིང་གི་བརྒྱུད་འབྲེལ་དང་བརྒྱུད་འབྲེལ་ལྷན་ཁང་།  
**Bhutan InfoComm and Media Authority**  
**Royal Government of Bhutan**

First edition 2008  
Second edition 2016  
Third edition 2019

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# **Chapter 1: Preliminary**

## **1.1 Legal Basis**

These Rules and Regulations are issued as per Sections 202 to 222 of the Information, Communications and Media Act of Bhutan 2018 (the “Act”) by the Bhutan InfoComm and Media Authority (the “Authority”) for the licensing and registration of publication.

## **1.2 Title and Commencement**

These Rules and Regulations shall be called as the Rules and Regulations for Publication and shall come into force on the 1<sup>st</sup> day of July, 2019 corresponding to the 29<sup>th</sup> day of the fourth month of the Bhutanese Earth Male Dog Year.

## **1.3 Scope of Application**

These Rules and Regulations shall apply to all publications in the Kingdom of Bhutan and shall be read in conjunction with all other codes of practice and Rules developed to facilitate healthy development of the sector.

## **1.4 Amendment**

Amendment to these Rules and Regulations shall be made according to the needs and changes in national priorities, policies and industry trends. The amendment of these Rules and Regulations, by way of addition, variation or repeal may be effected by the Authority as and when required.

## **1.5 Repeal**

With the commencement of these Rules and Regulations, the Rules for Publication 2016 are repealed.

## **1.6 Interpretation**

The power to interpret these Rules and Regulations shall vest with the Authority who may issue such instructions as may be

necessary to give effect to and carry out the provisions of these Rules and Regulations.

## **1.7 Rules of Construction**

In these Rules and Regulations, unless the context indicates otherwise, the masculine gender shall include the feminine gender and the singular shall include the plural and vice versa.

## **1.8 Definition**

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

**Individual Publication** means one time publication issued to a Bhutanese citizen/agency and shall be valid only for that particular publication.

**Publication** means the act of making news, views, information, pictures, drawings or other matter available or accessible to the public at large, or section of the public, in any form or through any means of communication.

**Publication House** means a person or a group of persons or a company licensed to publish books, periodicals and any other publications which are commercial in nature.

**Periodical** means newspapers, magazines, journals and newsletters which appear on regular schedule.

**Importer** means any licensed enterprise importing publications for sale and distribution in the country.

## **Chapter 2: License, Licensing Procedure and Obligation**

### **2.1 Requirement of the License**

No person shall be allowed to publish any book or newspaper without a valid license issued by the Authority.

### **2.2 Type of License**

The Authority shall issue Individual and Publication House license as per the standards specified in Annexure A of these Rules and Regulations.

### **2.2 Term of license**

2.2.1 Individual publication licence shall be issued for a period not exceeding one year.

2.2.2 Publication House licence shall be issued for a period of one (1) year and shall be renewed annually as per the procedures specified in subsection 2.6 of these Rules and Regulations.

### **2.3 Eligibility for license**

Any person who:

- i. Is citizen of Bhutan,
- ii. Is of sound mind, and
- iii. Has not been, under the laws of Bhutan, declared insolvent, and/ or found guilty of a criminal offence concerned either under the Act or any other Act, unless his reputation has been restored through due process of the law.

### **2.4 Licensing Procedure**

2.4.1 The application shall be submitted to the Authority in the Form set out in Annexure C of these Rules and Regulations.

2.4.2 The Authority shall, either reject the proposal or seek additional information in the event if the information submitted is found to be insufficient.

2.4.3 The Authority shall intimate the decision in writing to the applicant within seven (7) working days.

2.4.5 In the event, if the Authority considers not to grant the license, it shall notify the applicant with reasons accordingly.

## **2.5 Modification, ownership change and transfer of license**

2.5.1 In the event if the licensee wishes to make any changes to the license, then such request shall be submitted to the Authority along with the fee as specified in Annexure 2 of these Rules and Regulations.

2.5.2 An application for ownership change of a publication license shall be made in writing as per the Annexure D of these Rules and Regulations.

2.5.3 Except for transfer of the license within the immediate family members, all other transfers shall incur a fee as specified in Annexure B of this Rules and Regulations.

## **2.6 Obligation of the Licensee**

The Licensee shall ensure that:

- a) All publications for sale and/or distribution in Bhutan shall be in English and/or Dzongkha.
- b) All publications shall carry the following information on the front back/ last page:
  - i) The names of the editor (and/or author, where applicable), publisher and its address.
  - ii) The name and the location of the printing press.
  - iii) BICMA Registration Number

- c) All periodicals published and registered in Bhutan shall carry once every year in its first issue, names, nationalities and addresses of the directors of the publishing enterprise and of those persons who own more than five (5) percent of the shareholding in the said enterprise.
- d) If the licensee intends to alter and print the original publication, the licensee shall have to apply for a separate registration number.
- e) During the election period:
  - i) Abide by all laws, Rules, Directives or Codes issued by the Authority or the Election Commission of Bhutan.
  - ii) Not increase the circulation and distribution of their publication.
  - iii) Not distribute their publication free of cost.
  - iv) Not increase the pages of the paper and maintain the percentage ratio approved for advertisement.
- f) Abide by all the conditions specified in the Publication License Terms and Conditions and these Rules and Regulations.
- g) Submit a copy of each issue of the newspaper and other publications to the Authority.
- h) Strictly comply with all directives issued by the Authority.
- i) Comply with all laws, standards, rules, orders, regulations, and licensing terms and conditions.
- j) Permit any official of the Authority or an authorized representative of the Authority to enter into any premises to inspect or examine any records or equipment or other set standards for compliance.
- k) The Newspaper Publishing house shall on or before the 30<sup>th</sup> of April, file a statement (hereinafter referred as the



“Annual Statement”) with the Authority as specified in Annexure G of these Rules and Regulations.

- 1) In the event a newspaper publisher fails to file its annual statement as per the deadline, the Authority shall impose a penalty equivalent to three (3) months daily minimum wage. However, failure to file the annual statement within the period of one month after the deadline shall lead to suspension of the publication.

## **2.6 Renewal of the License**

2.6.1 The license shall be renewed on or before the expiry date as per the form prescribed in Annexure E of these Rules and Regulations.

2.6.2 A fine of ngultrum fifty (Nu.50) per day shall be levied for failing to renew the licence within the stipulated time frame for a maximum period of ninety (90) days after which the license shall be automatically cancelled.

## **Chapter 3: Registration of Publication**

### **3.1 Requirement of Registration**

- 3.1.1 Any publication for sale or distribution to the public in Bhutan, whether such book, newspaper or magazine is published within Bhutan or abroad shall apply to the Authority for registration in the form set out in Annexure F of these Rules and Regulation. The fee structure is as prescribed in Annexure A of these Rules and Regulations.
- 3.1.2 The ISBN number of all imported books shall be registered with the Authority which shall be considered as the BICMA registration number.
- 3.1.3 All imported newspapers and magazines shall be registered with the Authority for sale and distribution within Bhutan. No registration fee shall be levied for such publications.
- 3.1.4 Publications meant for sale and distribution within Bhutan shall not be advertised before being registered with the Authority.
- 3.1.5 However, registration shall be exempted for publications of the government agencies, which are published solely for internal use and/or distribution within their domain.
- 3.1.6 For registration of local publications, a dummy copy of the book shall be submitted to the Authority.
- 3.1.7 After obtaining the registration number and publishing the book, a final copy of the printed publication shall be submitted to the Authority before circulation.
- 3.1.8 The Authority reserves the right to deny the registration of any publication, whether published within Bhutan or outside for sale or distribution within the country.

### **3.2 Register of publication**

The Authority shall maintain a Register of publications which shall be periodically updated.

## **Chapter 4: Breach of Rules, Appeal and Indemnification**

### **4.1 Breach of Rules**

4.1.1 Any person found publishing, selling, importing and distributing publication without a valid license or a registration number issued by the Authority shall be guilty of an offence of misdemeanour.

4.1.2 Any person found importing, selling and distributing publication which has been declared detrimental by the Government shall be dealt as per the relevant laws of the Kingdom.

4.1.3 The Authority shall, subject to the degree of violation impose the licensee the following penalties:

- i) Issue a written warning letter for the first violation.
- (ii) Impose a penalty equivalent to a maximum of six (6) months daily minimum wage depending on the gravity of the offence for the second violation.
- (iii) Suspend the operation of the establishment for a period of two months or impose a penalty equivalent to six (6) months daily minimum wage or both depending on the gravity of the offence for the third violation.
- (iv) The license shall be cancelled automatically upon the fourth violation.
- (v) Notwithstanding the above provisions, if the violation is proven to be severe, the Authority may impose a penalty up to one (1) year daily minimum wage or suspend or cancel the licence.
- (vi) In the event, if the licence is cancelled, the defaulter shall not be eligible for the licence for a period of three (3) years.

## **4.2 Appeal**

**4.2.1** If aggrieved by the decision of the Authority, the licensee may appeal against such decision to the Alternative Dispute Resolution Centre within ten (10) days of the receipt of the information of such decisions as per Section 67 of the Act.

**4.2.2** While appealing against the decision of the Authority, the Licensee shall bear all the expenses incurred by Authority including registration fee payable to the Alternative Dispute Resolution Centre.

## **4.3 Indemnification**

Licensee shall indemnify, defend and hold harmless the Authority and its officials, agents, attorneys and representatives against any and at all costs, damages, expenses, claims, suits and actions, including but not limited to expenses for legal fees, whether suit brought or not, and disbursement and liabilities incurred or assumed by the Authority in connection with:

- a) Damage to persons or property, in any way arising out of or through the acts or omissions of licensee, its officials, agents, attorneys, representatives or employees; or
- b) Request for relief arising out of the licensee's action or inaction which results in a claim for invasion of the rights of privacy; defamation of any person, firm or corporation; for the violation or infringement of any copyrights, trademark, trade name, service mark or patent; or of any other rights of any person, firm or corporation; or
- c) Any or all claims arising out of licensee's failure to comply with the provisions of these Rules and Regulations or any other law, or Rules applicable to the licensee.

## **Annexure A: Standards for establishing Publication Houses**

<b>For Publication House license</b>
<p><b>Infrastructure:</b></p> <ul style="list-style-type: none"><li>• A well-equipped office space with full mailing address including location and building number.</li></ul> <p><b>Human resource:</b></p> <ul style="list-style-type: none"><li>• <b>For books and periodicals:</b> a minimum of three (3) professional editorial team including an editor and a designer on full time basis.</li><li>• <b>For newspaper:</b> a minimum of five (5) professional editorial team including an editor on full time basis.</li></ul> <p>The Editor must have a minimum of 5 (five) years working experience in the media or relevant field.</p>

## Annexure B: Fee

<b>Sl</b>	<b>Fees</b>	<b>Amount (Nu.)</b>
1	Publication house license	3000.00 per annum
2	Individual publication license	1000.00 per publication
3	Registration of local publication	500.00 per publication
4	Registration of international books	1.00 per book
5	License transfer fee	1500.00
6	Alterations/changes including duplication copy	500.00
7	Late renewal of license	50 per day

## Annexure C: Application Form for Publication License

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### A. Personal details:

1. Name of the applicant:
2. Citizenship Identity Card No:

### Permanent address:

Village/locality: Geog/town:

Dzongkhag/Thromde:

**Present address:** Village/locality:

Geog/town: Dzongkhag/Thromde:

Mobile:

Email:

### B. Type of License:

a. Publication house Licence: Periodical  or Book   
(Attach details including name and address of the directors/partners, if any)

b. Individual Licence

### C. Details of the publication:

- i) Proposed name of the publication House:
- ii) Address from where the publication will be published:
- iii) Address from where it will be printed:
- iv) Language in which it will be published:
- v) Number of copies to be printed for each issue:

If it is a periodical:

- i) Genre:
- ii) Proposed name:
- iii) Periodicity:
- iv) Schedule:
- v) Approximate number of pages per issue:

**D. Documents requirement:**

The application must be submitted along with the Detail Project Report (DPR). *(The DPR shall be prepared as the guidelines specified in the Annexure D of these Rules)*

I hereby declare that:

- a. The information given above is true and complete. In the event, if any changes occur on the information provided, I undertake to inform the Authority immediately.
- b. I understand the provision of the ICM Act of Bhutan 2018 and the Rules for Publications.

I also undertake to abide by all the applicable laws, Rules and rules of Bhutan as well as all the requirements and conditions specified by the Authority in relation to my license.

Signature of the Applicant

Date:





## **Annexure D: Guidelines for the preparation of the Detail Project Report**

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The detail project report (DPR) should include the following information:

1. Details on the proposal
  - Mission
  - Objective
2. Product and Service
  - Editorial policy
  - Product and distribution plan
  - Content coverage plan
3. Marketing Plan
  - Sales forecast
  - Advertisement and circulation
4. Management
  - Management Board
  - Editorial Board/Committee along with CV
5. Financial sustainability plan
  - Source of revenue with evidence
  - Revenue and cost forecast

## **Annexure D: Application Form for change in ownership of the Publication House license**

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**a) Personal Details (New Applicant)**

Name:

Citizen I.D No:

**Permanent address:**

Village/locality:

Geog/town:

Dzongkhag/Thromde):

**Present address:**

Village/locality:

Geog/town:

Dzongkhag/Thromde:

Mobile:

Email:

**b) Details of Previous Licensee:**

Name:

Citizen I.D No:

**c) Details of the License:**

Name of the publication

House:

License number:

Date of Issue

**4. Reasons for change in ownership (tick as appropriate):**

Bought  Inherited  Others  Please specify.....

**m) Name of the publication House or proposed new name (if relevant):**

**n) Documents required:**

I am enclosing herewith the following:

- a) Sale deed agreement/Inheritance document
- b) Copy of the receipt of the payment made based on the sale deed
- c) Copy of Security Clearance and CID card of the new applicant (owner)
- d) One recent passport sized photograph
- e) Copy of the old license
- f) Valid tax clearance certificate

**Declaration and undertaking**

I hereby declare that the information given above are true and complete. In the event of any changes in the information that has been provided, I undertake to inform the Authority immediately.

Affix  
Legal  
Stamp

Affix  
Legal  
Stamp

Name and signature of the applicant (Transferor)

Date:

Name & signature of Applicant (Transferee)

Date:

## Annexure E: Application Form for renewal of Publication License

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### A: Details of the Licensee

1	<b>Name of the Publishing House</b>	
	1.1	Licence number:
	1.2	Date of issue:
2	<b>Type of Publishing House</b>	
	2.1	Books <input type="checkbox"/>
	2.2	Periodicals :
	2.2.1	Newspaper <input type="checkbox"/> Magazine <input type="checkbox"/>
3	<b>Details of the Owner/Promoter:</b>	
	2.1	Name:
	2.1	CID
4	<b>Details of the Editorial Team ( Attached the list separately)</b>	
5	<b>Contact Details</b>	
	4.1	Location of the establishment:
	4.2	Fixed /mobile no:
	4.3	Email address:
6	<b>Documents for submission</b>	
	5.1	Security Clearance <input type="checkbox"/>
	5.2	Tax Clearance Certificate <input type="checkbox"/>
	5.3	Certificate of Circulation * <input type="checkbox"/>

\* Only for Newspaper publishers

### B: Declarations

I/We hereby declare that:

The details provided above are correct and factual. In the event if the any of the information provided above are found to be incorrect, the Authority shall have the right to reject the renewal.

Signature of the licensee

Date \_\_\_\_\_

Affix legal stamp

## Annexure F: Application Form for Registration of Publication

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### A. Personal details

1. Name of the applicant:
2. CID No:
3. Contact address (Present address with mobile and email)

### B. Are you the [tick as appropriate]:

Author  Publisher  Distributor  Importer

### C. Details of the publication:

1. Name of the publication:
2. Language:
3. Name of the Author:
4. Place of publication:
5. Name and address of the publisher:

### D. Documents Submitted:

I am enclosing the following (tick the appropriate box):

- a. A dummy copy of the publication
- b. List publications to be imported \*
- c. Copy of the CID
- d. Valid Security Clearance Certificate
- e. Valid tax clearance certificate \*

\*Applicable for Importers only

I hereby declare that:

- The information given above is true and complete. In the event, if any changes occur on the information provided, I undertake to inform the Authority immediately.
- I understand the provision of the ICM Act of Bhutan 2018 and the Rules for Publication and undertake to abide by all the applicable laws, Rules and rules of Bhutan as well as all the requirements and conditions specified by the Authority in relation to my license.
- I will submit a final printed copy of the publication to the Authority before its circulation.

Signature of the Applicant  
Date:

Affix  
Legal  
Stamp

## Annexure G: Annual Statement Report Form

Postal Address		Publication Details		
Location		Publication Name		
PO Box		Cover Price	Print Copy	e-copy
Telephone		Publication Frequency	Daily (tick box)	Weekly (tick box)
Email		Publication Print-run		
Website		Language	Dzongkha (tick box)	English (tick box)
<b>Printer Details</b>	Name of Printer/Press	Location of Printer/Press	Complete Postal Address of Printer/Press	

<b>Reporting Period (tick box)</b>				
<b>Circulation Details (provide figures against months)</b>				
Month	Print copies	e-copy	Free copies	Non-distribution
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				



<b>Reach (provide figures against Dzongkhags)</b>				
Dzongkhags	Print copies	e-copies	Free copies	Non-distribution
Bumthang				
Chukha				
Dagana				
Gasa				
Haa				
Lhuntse				
Mongar				
Paro				
Pema Gatshel				
Punakha				
Samdrup Jongkhar				
Samtse				
Sarpang				

Thimphu				
Trashigang				
Trashiyangtse				
Trongsa				
Tsirang				
Wangduephodrang				
Zhemgang				
<b>Details of the Paper</b>				
Editorial Team				
1. Name of the Editor				
2. Name of the Reporters	Submit the list with names , designation, contact number and email id			
Details of the Management				
Name of the Chief Executive Officer				
Board Directors	Submit the name of the Board Directors along with share holding details			
<b>Financial details</b>				

Financial statement	Submit the financial statement submitted to the Department of Revenue and Customs.
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