



RULES
FOR
NATIONAL FILM REVIEW BOARD

BHUTAN INFOCOMM AND MEDIA AUTHORITY

Royal Government of Bhutan
Thimphu : Bhutan

First Edition	2008
Second Edition	2010

Copyrights © BICMA
All rights reserved.

All inquiries should be addressed to:
The Director
Bhutan InfoComm & Media Authority
Post Box N0 1072
Thimphu : Bhutan



BHUTAN INFOCOMM & MEDIA AUTHORITY

Royal Government of Bhutan



Chairperson

20th May 2010

FOREWORD

In accordance with Chapter III Section 21 (2:d) and Chapter VI Section 105 to 114 of the Bhutan Information Communications and Media Act 2006, the Bhutan InfoComm and Media Authority is mandated to regulate and implement rules and guidelines governing the examination and certification of the cinematographic films in the kingdom.

These rules and guidelines form the basis for a self-regulatory system and provide the film industry with a set of principles to guide it, as well as a clear framework for the Authority to address any complaints from members of the general public.

These rules and guidelines are aimed at ensuring that the content of films intended for public exhibition in Bhutan conforms to local sensitivities and to the social and cultural values of the Bhutanese people.

Towards this end, and in accordance with the powers conferred by Section 27 (3) (s) and (t) of the Act, the Authority hereby issue the "*Rules for National Film Review Board*" to certify and examine films.

These Rules should be read in conjunction with all other existing codes of practice and regulations established by the relevant Government agencies to promote the healthy development of the media.

(Chairperson)

BHUTAN INFOCOMM & MEDIA AUTHORITY

TABLE OF CONTENTS

FOREWORD

CHAPTER 1: PRELIMINARY

1.1	Legal basis	1
1.2	Title and commencement	1
1.3	Scope of application	1
1.4	Amendment	1
1.5	Interpretation	1
1.6	Rules of construction	1
1.7	Definitions	2

CHAPTER 2: APPOINTMENT AND COMPOSITION

2.1	Composition	3
2.2	List of examiners	3
2.3	Eligibility for the appointment of the members	3

CHAPTER 3: TERMS OF OFFICE AND REMUNERATION

3.1	Tenure of office	4
3.2	Remuneration	4
3.3	Resignation	4
3.4	Termination	4
3.5	Fresh appointments	5

CHAPTER 4: FUNCTIONS OF THE NATIONAL FILM REVIEW BOARD

4.1	Functions of the board	6
-----	------------------------	---

CHAPTER 5: GENERAL GUIDELINES

5.1	Procedure for examination of films	8
-----	------------------------------------	---

Appendix-A: Film Review Form

CHAPTER 1

PRELIMINARY

1.1 Legal basis

In accordance with Chapter 6, Section 106 (3) of the Bhutan Information Communications and Media Act 2006, the Bhutan InfoComm and Media Authority (“the Authority”) hereby issues this “Rules for National Film Review Board” to certify and examine films so as to ensure that the content of films intended for public exhibition in Bhutan conforms to local sensitivities and to the social and cultural values of the Bhutanese people.

1.2 Title and commencement

These Rules shall be called the *Rules for the National Film Review Board* and shall come into effect on the 7th Day of August 2009 corresponding to the 16th Day of the 6th Month of the Bhutanese Earth Female Ox Year.

1.3 Scope of application

These Rules shall apply to all the members of the National Film Review Board. These Rules should be read in conjunction with all other existing codes of practice and regulations established by the relevant Government agencies to promote the healthy development of the media.

1.4 Amendment

The Authority may revise or update these Rules from time to time as required, to ensure relevance and current practices after two third majority votes of the Members. Amendments shall be made according to the needs and changes in 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 Rules and may issue such instructions as may be necessary to give effect to and implement the provisions of these Rules.

1.6 Rules of construction

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

1.7 Definitions

For the purposes of these Rules, unless the context otherwise requires, the following words and terms shall have the following meanings:

“Act” means the Bhutan Information Communications and Media Act 2006.

“Authority” means the Bhutan InfoComm and Media Authority.

“Context” includes but is not limited to the:

- a) editorial content of programmes or series;
- b) service on which the material is broadcast;
- c) time of broadcast;
- d) scheduling of what other programmes are before and after the programmes are concerned;
- e) degree of harm or offence likely to be caused by the inclusion of any particular sort of material in programmes generally or programmes of a particular description;
- f) likely size and composition of the potential audience and likely expectation of the audience;
- g) extent to which the nature of the content can be brought to the attention of the potential audience, for example by giving information; and
- h) effect of the material on viewers or listeners who may come across it unawares.

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

“Film” refers to all forms of moving image production including feature films, drama, documentaries, television serials, advertisements and music videos that are meant for commercial and public screening.

“Sponsor” is any public or private undertaking other than the broadcaster or programme producer who is sponsoring the programme or programming in question with a view to promoting their or another’s name, trademark, image, activities, services, products or any other direct or indirect interest. This meaning extends to those who are otherwise supplying or funding the programme.

“Vulnerable person” includes those with special needs, those with mental health problems, the bereaved, people with brain damage or forms of dementia, people who have been traumatized or who are sick or terminally ill. This meaning shall extend to the vulnerable communities also.

CHAPTER 2

APPOINTMENT AND COMPOSITION

2.1 Composition

The members of the National Film Review Board shall at any given time be not less than nine and not more than twenty five.

2.2 List of examiners

The Authority shall invite members of the public who may be interested in, and qualified for serving on the National Film Review Board. The Authority shall prepare a fresh list every three (3) years. Those who may have had their names included in the list for a three (3) year term can be invited again for the next term.

2.3 Eligibility for the appointment of the members

The Authority shall appoint any person whom it thinks fit to be a member of the National Film Review Board. In appointing the members, the Authority will make every effort to ensure that the members represent a fair balance in terms of gender, profession and occupation.

An Individual to be appointed as a member of the National Film Review Board should fulfill the following qualifications:

- a) He should be a Bhutanese under the provisions of the Citizenship Act;
- b) He should have strong analytical skills and be able to judge the effects of films on the public;
- c) He should have the capacity to put himself in the role of most Bhutanese parents, so they can view a film and apply a rating that most parents would find suitable and helpful in aiding their decisions about their children and what movies they see;
- d) He should be 25 years of age or above;
- e) He should be of sound mental health, and be able to perform his duties;
- f) He should be capable of shouldering the responsibilities of the National Film Review Board;
- g) He should not have been dismissed on dishonorable grounds such as corruption and misuse of position from his or her previous employment in either government or private agencies; and
- h) He should not have been convicted of any criminal offence.

CHAPTER 3

TERMS OF OFFICE AND REMUNERATION

3.1 Tenure of office

An appointment of an individual as a member of the National Film Review Board shall be for a period of three years from the date of his appointment. Previous appointment as a member shall not affect his eligibility for re-appointment.

3.2 Remuneration

An appropriate remuneration will be paid for each member who sits and reviews the film. In case the film needs to be re-examined, such remuneration determined by the Authority will also be payable to each member who re-examines the film. The amount is not fixed and can be revised from time to time by the Authority.

3.3 Resignation

A member may at any time resign from the National Film Review Board by notice in writing, addressed to the Authority. The resignation shall take effect from the date of acceptance of the notice or from such other date as may be agreed between the member in question and the Authority.

3.4 Termination

A member shall be removed from the National Film Review Board by the Authority if he has:

- a) been debarred or disciplined by a professional body to which he belongs;
- b) become physically or mentally incapable of acting as a member;
- c) been convicted of any offence that involves moral turpitude;
- d) acquired such financial or other interest as is likely to affect prejudicially his functions as member; or
- e) so abused his position as to render his continuance in office prejudicial to the public interest.

No member shall be removed from his office under this sub-section unless he has been given a reasonable opportunity of being heard in the matter. He shall be given an opportunity to justify why such action should not be taken, and any representations made by him or on his behalf shall be considered by the Authority.

The decision of the Authority shall however be final, and no appeal shall lie against it.

3.5 Fresh appointments

Where a vacancy arises, whether by reason of death, resignation or removal of a member, it shall be filled as soon as practicable in accordance with the criteria and procedure for appointment as specified in Section 2.2 and 2.3.

Every newly nominated member shall assume office immediately after the term of office of the outgoing member comes to an end.

CHAPTER 4

FUNCTIONS OF THE NATIONAL FILM REVIEW BOARD

4.1 Functions of the board

The objectives of establishing the National Film Review Board are:

1. to guide and support the growth of the Bhutanese film industry which will uphold the national values, foster a sense of national pride, encourage and support talents in acting and film making and promote the country's image; and
2. to certify and rate films so as to offer parents some advance information about movies so that parents can decide what movies they want their children to see or not see.

The members will carry out the following functions:

- a) The members shall, during their examination, have due regard to the criteria for the certification of films laid down under Section 108 of the Act and to the "Rules Governing Examination and Certification of Films" or to any Regulations issued by the Ministry for this purpose, including any guidelines that may already be in existence at the time of coming into force of these Rule, either in their entirety or in such modified form as may be specified by the Authority;
- b) Ensure that the content of film intended for public exhibition, whether produced within Bhutan or outside, are not antithetical to the social, cultural or other values of the people of Bhutan;
- c) Protect the general public and more specifically the vulnerable sections of the population such as children and young persons from undesirable influences such as the effects of excessive or gratuitous violence, obscenity, drug taking and gambling as they appear in films;
- d) Review contents of the film as per the "Filming Guidelines and Code of Practice" and require the applicant to carry out any excisions or modifications if deemed necessary;
- e) Check the technical quality (visual and sound) and recommend changes/improvements, if necessary;

- f) After review or re-examination, grant approval to films for public viewing, with appropriate endorsement where necessary;
- g) Make recommendations for policy review or decisions, to bring about improved regulatory framework that will guide the development of the film industry in a healthy manner; and
- h) Promote technological neutrality and innovation in the industry.

CHAPTER 5
GENERAL GUIDELINES

5.1 Procedure for examination of films

- a) The Authority has fixed every Saturday morning starting from 10:00 hrs as the examining and review day.
- b) The Authority shall ordinarily provide each member of the examining panel a copy each of the synopsis of the film and the length of the film at least forty eight hours prior to the time set for the examination of the film.
- c) The quorum for the examining panel shall be five members and at least two female members shall be present at the time of review.
- d) The Director and Producer along with one technician, shall be present during the review, and be available to provide any information or clarification. The General Secretary of the Motion Picture Association of Bhutan or his representative shall also be allowed to sit for the review.

The Authority may also permit one or two members of the Authority's staff to remain present at the examination, as may be necessary to aid and assist the examining panel in the discharge of their duties.

- e) Every member of the examining panel will be provided with the Film Review Form attached as Appendix-A. Immediately after the examination of the film, the chairperson designated by the Authority and the other four members of the examining panel shall, before leaving the premises where the examination is held, discuss their comments/ opinions with the filmmakers, and record his opinion of the film in writing, including the reasons for such opinions and shall state whether he considers that:
 - i) the film is suitable for unrestricted public exhibition, i.e. fit for the grant of a 'U' certificate; or
 - ii) the film is suitable for unrestricted public exhibition but with an endorsement that no child below the age of twelve years shall be allowed to view the film unless accompanied by an adult during the showing of the film, i.e. fit for the grant of a 'U' certificate with a 'PG' endorsement; or
 - iii) the film is suitable for public exhibition restricted to adults, i.e. fit for the grant of an 'A' certificate; or
 - iv) the film is suitable for a 'U' certificate, with or without a 'PG'

endorsement, or an 'A' certificate, as the case may be, provided that a specified portion or portions is or are excised, or provided that certain modifications are carried out; or

- v) the film is not suitable for unrestricted or restricted public exhibition because the film or any part of it is likely to:
 - 1) be detrimental to the interests of the sovereignty, security, unity or integrity of Bhutan; or
 - 2) be detrimental to the interests of the peace, stability and well-being of the nation; or
 - 3) be detrimental to interests of the friendly relations with foreign States; or
 - 4) incite the public, or any part of the public, to committing an offence; or
 - 5) disclose information received in regard to the affairs of the State or in discharge of official duties; or
 - 6) violate the rights and freedom of others, i.e. that certification be refused.

- f) Each of the statements, including recommendations, recorded in the Film Review Form shall be duly signed and dated by the members making it and forwarded to the Authority.

- g) For the purposes of re-examination where the applicant is required to make certain excisions and/or modifications in his film, the Authority shall appoint a Re-examining Panel consisting of no fewer than three members of the original panel which examined the film. The members of the re-examining panel shall view the re-submitted film on such date and time, and at such place, as may be determined by the Authority.

- h) Each member of the panel re-examining the film shall, immediately after the re-examination and before leaving the premises on which the re-examination was carried out, make a report, either:
 - i) expressing his satisfaction that the applicant has carried out all the excisions and/or modifications stated in the Authority's order; or
 - ii) stating that the applicant has not carried out such excisions and/or modifications to his satisfaction, and shall forward the report to the Authority.



BHUTAN INFOCOMM & MEDIA AUTHORITY

Royal Government of Bhutan



APPENDIX A: Film Review Form

Name of Film: Genre: Preview Date:

Sl	Review Criteria	Ratings (tick)				
		*	**	***	****	*****
1	Film Title [appropriateness to the story line]					
2	Titles & Credits [spellings/ fonts/ special effects - light, sound, background]					
3	Script [originality/creativity/relevance to story/flow/substance/depth]					
4	Direction [camera/ art/ casting/ continuity/ makeup]					
5	Background Score [relevance to story/ visual/ tune/ originality of tune/ emotion conveyance]					
6	Background Music [relevance to story/ song/ visual/ melody/ originality/ emotion conveyance]					
7	Songs [relevance to scene/ theme/ melody/ originality/ creativity]					
8	Lyrics [relevance to the story/ substance/depth]					
9	Dialogue [expression/ fluency/ clarity]					
10	Sound [clarity/ level and pace/ overall quality]					
11	Special Effects [relevance to scene/ creativity/ originality/ innovativeness/ smoothness]					
12	Performance/Acting [expression/ dialogue delivery - through signs and sounds/ convincing power/ overall acting]					
13	Choreography [grace/ body movement/ expression/ creativity]					
14	Cinematography [capture of images/ lighting effects/ shot framing/ composition/ shot fluidity/ creativity]					
15	Editing [pace/ continuity/ transitions/ overall quality]					

*Poor **Improvement needed ***Satisfactory ****Good *****Excellent

OBJECTIONABLE SCENES/ LANGUAGES/ DEPICTIONS:

GENERAL COMMENTS:

APPROVED	RECOMMENDED
<ul style="list-style-type: none"> <input type="checkbox"/> Certification without any changes <input type="checkbox"/> Certification to be issued only after the required changes are made 	<ul style="list-style-type: none"> <input type="checkbox"/> Unrestricted public exhibition of a film (U) <input type="checkbox"/> Unrestricted (with parental guidance) public exhibition of a film (PG) <input type="checkbox"/> Restricted public exhibition of a film (A) <input type="checkbox"/> Not recommended

Name & Signature of the Film Review Member

USEFUL REFERENCES	
A. NATIONAL PRIORITIES	
<ul style="list-style-type: none"> a) Films should not undermine public security or public confidence in the law and its enforcement in Bhutan; b) National symbols and emblems should only be shown in accordance with the existing rules of the Royal Government; c) Dress codes and national language shall be adhered to as opportunities for film producers to contribute towards the larger interest of promoting our national identity; d) Scenes that might incite religious, ethnic, regional or communal conflicts are not permitted; e) Content should not encourage or in any way lead to discrimination against any section of the community on account of gender, age, disability or occupational status; f) Endangering the national interest and public order; and g) Scenes that might strain the friendly relations with foreign states must be avoided. <p style="text-align: right;"><i>Source: Filming Guidelines & Code of Practice: Section 2.4</i></p>	
B. CERTIFICATION OF FILMS	
No film shall be certified for public exhibition if, in the opinion of the Authority, the film or part of it is:	
<ul style="list-style-type: none"> a) be detrimental to the interests of the sovereignty, security, unity or integrity of Bhutan; or b) be detrimental to the interests of the peace, stability and well-being of the nation; or c) be detrimental to interests of the friendly relations with foreign States; or d) incite the public, or any part of the public, to committing an offence; or e) disclose information received in regard to the affairs of the State or in discharge of official duties; or f) violate the rights and freedom of others, i.e. that certification be refused. <p style="text-align: right;"><i>Source: Bhutan Information Communication & Media Act 2006: Section 108</i></p>	
C. FILM TERMINOLOGY AND MEANING	
Direction	: complete artistic control of all phases of a film’s production including sound, action, casting, editing, etc.
Script	: written text of a film - storyline, setting, dialogue, movements/ gestures of actors, and shape and sequence of all events.
Dialogue	: any spoken lines in a film by an actor/actress.
Sound	: audio portion of a film including dialogue, music, effects, etc.

Sound Effects	: created sounds except dialogue or music - effects that are imitative of sounds called for in the script of dramatic production which enhances the production's illusion of reality.
Special Effects	: visual/ audio special illusionary effects that cannot be accomplished by normal means, eg. optical and digital effects, CGI, in-camera effects, use of miniatures/ models, mattes, rear-camera projections, stop-motion animation, blue screens, full scale-mockup, pyrotechnics, etc.
Background Music	: part of score that accompanies a scene or action in a film, usually to establish a specific mood or enhance emotions.
Background Score	: things that can be seen or heard behind other things that are closer or louder.
Lyrics	: words of a song, especially a modern popular one.
Choreography	: skills of combining movements into dance to be performed - the plans, designs, sequences, and direction of dancing, fighting, or other physical actions or movements in a film or stage production.
Editing	: process of selecting, assembling, arranging, collating, trimming, structuring and splicing together many separate camera takes including sounds into a complete, determined sequence or order of shots (or films) that follows script.
Titles & Credits	: words that appear on the film screen and convey information - credit titles, insert titles and subtitles and list of technical personnel, cast and crew of a film. Also refers to list of names and functions of persons/ corporations contributing and responsible for the artistic or intellectual content of a film.
Genre	: produced according to a particular style or model - comedy, tragedy, art, drama, etc.
Review	: consider something in order to make changes to it, or give an opinion on it, or to study it.
Preview	: see something such as films or a collection of works of art before it is shown to the public.
Performance	: expression, dialogue delivery through signs and sound, convincing power, etc.
Cinematography	: art of film photography, the capture of images, and lighting effects, etc.