

**RULES AND REGULATIONS FOR THE PLACES OF  
ENTERTAINMENT 2022**



Ministry of Economic Affairs  
Royal Government of Bhutan  
Thimphu, Bhutan

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## **CHAPTER 1: PRELIMINARY**

### **1.1 Legal Basis**

In pursuance of Section 85, Chapter 5 of the Information, Communications and Media Act of Bhutan 2018 (“the Act”), and a Memorandum of Understanding signed between the Ministry of Information and Communication and the Ministry of Economic Affairs, the latter shall take the responsibility to formulate, amend, promulgate and review the Rules and Regulations for the Places of Entertainment.

### **1.2 Title, Commencement and Extent**

This Rules and Regulations shall:

- a) Be called the Rules and Regulations for the Places of Entertainment 2022;
- b) Come into force on the Water Male Tiger Year of the Bhutanese Calendar corresponding to 18<sup>th</sup> July, 2022; and
- c) Extend to the whole of Bhutan.

### **1.3 Scope of Application**

This Rules and Regulations shall apply to the places of entertainment defined under clause 1.8.3 of this Rules and Regulations and should be read in conjunction with other relevant Rules and Regulations issued by the Ministry.

### **1.4 Repeal**

This Rules and Regulations repeals the Rules and Regulations for Places of Entertainment 2020.

### **1.5 Amendment**

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

### **1.6 Interpretation**

The authority to interpret this Rules and Regulations shall be vested with the Ministry who may issue such instructions as may be necessary to give effect to and carry out the provisions of this Rules and Regulations.





## 1.7 Rules of Construction

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

## 1.8 Definitions

Unless the context otherwise requires, the following words and terms used in this Rules and Regulations shall have the following meanings assigned to them:

**1.8.1. Closure Timing:** means the timing for the closing of places of entertainment specified in this Rules and Regulations.

**1.8.2. Designated Location:** means location of the Places of Entertainment which shall be:

- i) Outside the radius of 400 meters from the designated institutional places like monasteries, dzongs, hospitals, educational institutes and rehabilitation centers; OR
- ii) Within the urban core of demarcated Thromde boundary, Dzongkhag Throm and Yenlag Throm; and
- iii) Within permanent structure certified by the Entertainment Licensing Committee for the proposed purpose.

**1.8.3. Places of Entertainment;** means and includes any establishment that provides any form of entertainment whatsoever intended for the general public. Such establishment includes but not limited to movie halls, dance hall, discotheques, live music, karaoke, music halls, gaming parlors, public houses, luyangs, hospitality lounges, video or computer gaming arcades, circuses, magic shows, fetes, concerts, fairs, carnivals, wrestling bouts, sporting events, bingo halls and any other similar forms of entertainments.

For the purpose of this Rules and Regulations, the places of entertainment are grouped under the following three categories:

### Category A

- i. **Discotheque/Dance Hall** means a nightclub for dancing to live or recorded music by customers and often featuring sophisticated sound systems, elaborate lighting, and other effects.
- ii. **Karaoke** means an establishment where customers sing along with pre-recorded music with lyrics projected on a TV screen.

- iii. **Live Music** means an established place where live music and/or songs are being performed by artist.
- iv. **Snooker/Billiard** means an entertainment establishment equipped with snooker/billiard tables where a game is played with cue balls and sticks.

### Category B

- i. **Luyang** means an entertainment activity performed by a group of singers and dancers on invitation for various events for performing traditional songs and dances.
- ii. **Bowling Alleys** means an entertainment established in a building or enclosed area with a number of lanes or alleys where a heavy ball is rolled down a long, narrow lane toward a group of objects known as pins, the aim being to knock down more pins than an opponent.
- i. **Cinema hall** means an establishment that contains auditoriums for viewing films for entertainment catering to a general public.
- ii. **Video or computer gaming arcades** means an entertainment establishment equipped with TV monitors or gaming machines.

### Category C

This category includes places of entertainment other than those specified under category A and B above and also time bound activities.

- 1.8.4. **Entertainment License:** means License for the places of entertainment issued by the Ministry in accordance with this Rules and Regulations.
- 1.8.5. **Location clearance:** means community and Thromde/ Dzongkhag/ Local Government Authority's clearance for location of the establishment.
- 1.8.6. **Ministry** means the Ministry of Economic Affairs.
- 1.8.7. **Time-bound entertainment** means any type of entertainment that is intended to showcase for a limited number of days.



## **CHAPTER 2: ENTERTAINMENT LICENSING COMMITTEE (ELC)**

### **2.1 Establishment of an ELC**

- 2.1.1 As per section 85 (4) of the Information, Communications and Media Act of Bhutan, the ELC shall be established at Dzongkhag/ Thromde to review and recommend the applications for establishment of entertainment centers in Dzongkhag/ Thromde respectively.
- 2.1.2 The ELC shall be chaired by the Dzongdag in Dzongkhags and the Thrompon in Thromdes or any other competent person appointed by them.
- 2.1.3 The ELC shall comprise not more than seven Members including the Chairperson, and the decision of the Committee shall be based on consensus.
- 2.1.4 The ELC on its first formation or sitting shall identify a member secretary from one of the relevant agencies. The ELC shall have one-member representative from Royal Bhutan Police, and other members from relevant agencies.





## CHAPTER 3: LICENSING AND ISSUANCE OF PERMIT

### 3.1 Process for obtaining License or Permit for Places of Entertainment

- 3.1.1 An applicant or proponent wishing to obtain Entertainment license shall apply for proposed type of the place of entertainment to local authorities or directly to ELC with clear intention and specifications required herein for each category/type of entertainment center. He shall not start the development of infrastructure until ELC completes its review, and informs its acceptance or rejection.
- 3.1.2 The licensee shall obtain a Community Clearance and administrative approval from concerned Local Government Authority to apply for the license for establishment of entertainment centers.
- 3.1.3 In case of direct application received by ELC, the member secretary shall liaise with Local Government authorities to get clearances and follow the same process as mentioned above.
- 3.1.4 The ELC shall review the application for a place of entertainment submitted by concerned local administration in line with relevant policies and other prevalent situation.
- 3.1.5 The ELC shall review the proposal with special attention to employee's welfare, working conditions, occupational health and safety, and mechanism to address sexual harassment at the workplace in line with the provisions of Regulation on Working Condition 2012 or amendments thereto and other existing relevant laws.
- 3.1.6 The ELC while communicating acceptance shall clearly mention the technical standards required for the proposed place of entertainment, checklist to be adopted, and any other provisions to the applicant. The applicant shall start his investment only after getting this acceptance from ELC.
- 3.1.7 The ELC on receiving final confirmation of the completion of infrastructure development for the place of entertainment from the applicant, shall constitute a team and carry out verification of required technical standards and general operating conditions as per **Schedule -A** and complete the check list in **Schedule B**.
- 3.1.8 The ELC shall then recommend for entertainment license if accepted, or inform the applicant if rejected. The Licensing Authority shall issue business license as 'Entertainment License' only if ELC recommends to issue one.
- 3.1.9 The acceptance or rejection of proposal by ELC shall be communicated within 14 days of receiving the required clearances.



3.1.10 The Licensing Authority shall issue Entertainment License within two working days after receiving recommendation from ELC.

3.1.11 For short-term entertainments and not falling under category A and B, respective Dzongkhags or Thromdes or delegated LG authorities could approve and issue permit. This includes reality shows and time-bound entertainments. The applicant can directly apply to its local authorities or Dzongkhags or Thromdes.

### **3.2 License for Place of Entertainment**

3.2.1. The license issued for the places of entertainment shall be location based. In the event the licensee intends to change the location of establishment, the licensee shall have to obtain location clearance from their respective ELC and apply for change of location.

3.2.2. The licensee shall not under any circumstances, lease the license to a third party. Anyone found leasing or sub-leasing the license shall be charged with fronting. Transfer of ownership is to be permitted, if there are no adverse records, and can be directly applied through online or offline to licensing authority.

3.2.3. No individual shall be issued a license for simultaneously operating more than one form of entertainment activity in one location.

3.2.4. The places of entertainment under category A may be permitted to operate a restaurant and serve wine and liquor.

3.2.5. The places of entertainment under category B may operate a restaurant, but without serving wine and liquor.

### **3.3 Technical Standards for Places of Entertainment**

The specific technical standards for places of entertainment shall be as specified under *Schedule A* of this Rules and Regulations.

### **3.4 Validity of the license**

The license issued under this Rules and Regulations shall be valid for one year and shall be renewed annually.

### **3.5 Renewal of License**

3.5.1. The license issued under this Rules and Regulations shall be renewed on or before the last

date of validity mentioned on the License. The renewal or denial of license shall be based on the recommendation of ELC which will be sought by the licensing authority through its ELC member or ELC secretariat.

3.5.2. Continuing entertainment business under an expired license or non-licensed arrangement is an offence and ELC shall take appropriate measures to immediately close and charge under applicable laws.

3.5.3. Notwithstanding Rule 3.5.2, anyone wishing to reactivate the same license number or establishment name which was canceled earlier, excepting due to violation of this Rules and Regulations and other laws, can do so upon payment of six months national daily minimum wage rate plus the license fee for the new license as applicable.



## **CHAPTER 4: STANDARD REQUIREMENTS AND OPERATION**

**Note:** There is activity wise technical standards attached which must be fulfilled besides this general standard.

### **4.1 Standard Requirements**

The licensee shall:

- 4.1.1 Only engage in activity specified in the license.
- 4.1.2 Ensure that there is no inappropriate physical contact that qualifies as harassment between artists and customers.
- 4.1.3 Ensure that no employee/artist solicits financial or any other favour from the customers.
- 4.1.4 Have a separate dress code for artists and waiters/waitresses for identification.
- 4.1.5 Not employ under-aged employees.
- 4.1.6 Adopt and implement internal service rules approved by the Ministry of Labour and Human Resources.
- 4.1.7 Ensure that only persons above the age of 18 years are allowed, in the places of entertainment under category A, through proper age verification at the entrance.
- 4.1.8 Ensure that no person carries weapons or any other sharp/harmful objects inside the places of entertainment.
- 4.1.9 Have adequate number of trained bouncer/security personnel, consisting of both male and female, at all times in the places of entertainment under Category A except for Snooker.
- 4.1.10 Ensure that the establishment, its yard and surroundings are kept clean and free of offensive odor at all times, and all centers must have proper ventilation and air circulation.
- 4.1.11 Ensure that the place of entertainment has a designated "smoking room" as defined by Tobacco Control Act and its Rules & Regulations with required technical specifications.





4.1.12 Ensure that there is adequate First Aid Box, fire extinguisher, fire alarms with at least one trained personnel to handle them and waste collection bins in all entertainment centers.

4.1.13 Prohibit sale, possession or use of any controlled substances at the entertainment center.

4.1.14 Ensure to have a metal detection machine at the entrance of the places of entertainment.

#### 4.2 Operational Days/ Timing

Sl. No	Category of Entertainment Activity	Operational day	Timing***
1	Category A	Monday, Wednesday, Thursday, Friday, Saturday & Sunday	<b>The respective Dzongkhags/Thromdes shall determine the operational timing of these activities.</b>
2	Category B	Monday, Tuesday, Wednesday, Thursday, Friday, Saturday & Sunday	
3	Category C	Respective ELC/ Dzongkhag/ Thromde shall determine	

## CHAPTER 5: MONITORING COMPLIANCES AND REGULATIONS

- 5.1 The ELC shall oversee and assess impact, effect and social outcome or benefits of established places of entertainment; or the need to establish other categories of entertainment places and guide field monitoring agencies.
- 5.2 The ELC shall monitor and inspect at least once in every three months, and penalize those places of entertainment who fails to comply with provisions of this Rules and Regulations and other applicable laws.
- 5.3 Notwithsatanding section 5.2 above, the Licensing Authority may *suo motu* monitor and inspect the places of entertainment and recommend to ELC for necessary action.
- 5.4 The ELC shall also frame/direct or involve Ministry of Health and conduct advocacy on public health, sexual harassment, employee's welfare etc.
- 5.5 The ELC based on the monitoring reports shall impose penalties as per this Rules and Regulations and other applicable laws.
- 5.6 The ELC shall refer those matters not within their purview to relevant agencies for necessary actions.
- 5.7 The ELC, Local Government administration, MoEA offices shall provide necessary support and clarity on rules whenever asked for.



