

Strategy for the Implementation of the Provisions Related to Election Advertising 2016

1. Introduction

1.1 Advertising is an effective tool essential during election campaigns for Political Parties and Candidates to inform and educate the voters. The Electoral Laws, Rules and Regulations, in order to ensure a level playing field, prevent undue influence of money power and protect the interest of the voters, sets out specific provisions that regulate election advertising.

2. Legal Provisions Related to Election Advertising

2.1 The Media Coverage of Elections Rules and Regulations (MCERR), Election Advertising Regulations (EAR) and Social Media Rules and Regulations (SMRR) require the Commission to:

2.1.1 Appoint a Media Arbitrator to regulate and govern the Media and Media Functionaries regarding coverage of elections and advertisements;

2.1.2 Prescribe specifications for election advertising;

2.1.3 Conduct sponsored debates amongst Political Parties and Candidates; and

2.1.4 Monitor and regulate the role and conduct of media in elections.

2.2 Section 4.1 of MCERR provides that:

“The Commission shall permit a media agency to cover an election only upon signing the undertaking in **Media Coverage of Elections Form No. 1.**”

Therefore, a media agency interested to cover an election shall be permitted to do so upon submitting to the Commission, a signed undertaking in the prescribed **Media Coverage of Elections Form No. 1.**

2.3 Section 5.5 of MCERR provides that:

“The Media shall, immediately after the announcement of elections, make available to contesting Political Parties,

Candidates and all public relations firms and advertising agencies full information about space and time availability and the published advertising rates.”

Therefore, the Commission shall notify the Media Functionaries to announce the space and time availability with rates, immediately after Election Notification is issued, to the Political Parties and Candidates, as in **Annexure 1**.

3. Media Arbitrator

3.1 Section 6.2 of MCERR provides that:

“The Media Arbitrator shall be responsible for allocation of campaign broadcasting time and resolving disputes among broadcasters, Political Parties and Candidates under these Rules or the Election Act.”

Therefore, the Commission shall designate a person of integrity and professional standing to serve as the Media Arbitrator.

3.2 Section 7 of the MCERR requires that:

“The Media Arbitrator shall issue a set of guidelines, with the prior approval of the Commission, before the end of the second day after the day of issue of notification by the Commission under the Election Act respectively.”

The Media Arbitrator will be required to issue a set of guidelines, with the prior approval of the Commission, a draft of which has been placed in **Annexure 2**.

4. Broadcast Time and Space

4.1 Broadcast time and space available to Political Parties and Candidates for election campaign are of two types: (A) paid for by the Commission and (B) paid for by the Parties or Candidates from their own funds.

A. Costs to be paid for by the Commission

4.2 The Section 78 of the Public Election Fund Act provides that:

(a) Production of Party election broadcasts of a value specified by the Commission;

- (b) Brochures and pamphlet for Parties and Candidates of a value specified by the Commission;
- (c) Production and display of Posters for Parties and Candidates of the size and of a value specified by the Commission;
- (c) Media advertisements and postage of a value specified by the Commission; and
- (d) Campaign Fund management trainings.

Therefore, to ensure level playing field for all Political Parties or Candidates in reaching out to the electorate through mass media, Commission shall sponsor free time on Radio, Television and space in Print media.

4.3 Sections 9.1 to 9.3 of MCERR provides that:

9.1 Every contesting Political Party or Candidates contesting Parliamentary elections shall be provided with equal broadcasting time and space in the print media for the transmission of political announcements and similar programmes.

“Provided that the maximum time limit and the number of publications shall be determined by the Commission and subject to its review whenever deemed necessary.

9.2 The Commission shall reimburse expenditure incurred under section 9.1 to such network operators.

9.3 The Media Arbitrator shall be responsible to oversee that allocation of broadcasting time and space in the print media is done in an equitable and fair manner among contesting Political Parties and Candidates.”

Therefore, Media Arbitrator will have to allocate free broadcasting time and space in the print media, amongst the Parties and Candidates and it shall be paid for by the Commission.

Primary Round

4.4 Each Political Party, during the entire election campaign, shall

be allocated a maximum total of:

- 4.4.1 15 minutes broadcast;
- 4.4.2 20 minutes telecast; and
- 4.4.3 A full-page colour supplementary in Dzongkha and English once during a campaign period in a newspaper of their choice.

General Elections and National Council Elections

- 4.5 Each Candidate, during the entire election campaign, shall be allocated a maximum total of:
 - 4.5.1 10 minutes broadcast;
 - 4.5.2 3 minutes telecast; and
 - 4.5.3 A half-page colour supplementary in Dzongkha and English once during a campaign period in a newspaper of their choice.
- 4.6 The local cable network operators shall be directed to re-broadcast the recorded telecast during hours specified by the Media Arbitrator, till the campaign period ends.

B. Costs to be paid for by Political Parties or Candidates

- 4.7 Section 10.1 and 10.2 of MCERR provides that:
 - 10.1 The Media Arbitrator shall, in addition to the allocation of broadcasting time, and space in the print media paid by the Commission, based on consultations with contesting Political Parties or Candidates ensures allocation of broadcasting time, and space in the print media in an equitable and fair manner.
 - 10.2 Expense incurred on purchase of broadcasting time, and space in the print media shall be paid out of the permissible funds available with the Political Party or Candidate and shall be considered as an election expense of the Political Parties or Candidates.”

Accordingly, Political Parties and Candidates can purchase broadcast time and space in the print media as per the maximum

ceiling for the allocation of time and space and shall be subject to the total expenditure ceiling or permitted amount as provided under the Public Election Fund Act of the Kingdom of Bhutan, 2008 to ensure a level playing field as presented hereunder.

Parliamentary Elections

Political Parties

- 4.8 Each Political Party, while advertising through the following media, shall abide by the ceiling fixed below:
- 4.8.1 Print: Full-page colour supplementary in Dzongkha and English for two editions during a campaign period in a newspaper of their choice.
 - 4.8.2 Television: 20 minutes during prime-time per week and half hour during other time per week per election.
 - 4.8.3 Radio: 10 minutes programme with 3 times a week re-broadcast during the campaign period.

Candidates

- 4.9 Each Candidate shall, while advertising in the media, abide by the ceiling fixed below:
- 4.9.1 Print: Half-page colour supplementary in Dzongkha and English for two editions during a campaign period in a newspaper of their choice.
 - 4.9.2 Television: A total of 10 minutes during primetime and 10 minutes during other time per election.
 - 4.9.3 Radio: 20 minutes per campaign period in each station.

Local Government Elections

- 4.10 Each Candidate shall, while advertising in the media, abide by the ceiling fixed below:
- 4.10.1 Print: Half-page colour supplementary in Dzongkha and English editions once during a campaign period in a newspaper of their choice.

- 4.10.2 Television: A total of 10 minutes during primetime and 10 minutes during other time per election.
- 4.10.3 Radio: 20 minutes per campaign period in each station.
- 4.11 Any media firm which provides free of cost election advertising besides the paid election advertisements (by both state and Political Parties and Candidates) will need to provide such free advertising on equal basis to all Political Parties and Candidates without bias. Such media firms shall be required to indicate free of cost election advertising to be provided which shall then be distributed and allocated by the Media Arbitrator.

5. ECB Sponsored Public Debates

- 5.1 The Section 78 of the Public Election Fund Act provides:

The Election Commission shall sponsor:

- (a) Public debates for Parties and Candidates for Parliamentary elections;”

As required, the Commission shall conduct public debates amongst contesting Political Parties and Candidates which are to be covered live and re-broadcast. The BBSC and other private radio and Cable TV networks media shall be obligated to arrange the broadcast of these programmes as their public service contribution.

- 5.2 The Section 79 of the Public Election Fund Act provides that:

All participating Parties and Candidates shall attend the debates sponsored by the Election Commission.

“Provided unless specifically exempted by the Election Commission, the non-participating Party or Candidate shall be ineligible to receive funds and liable to refund the funds received already for that election.”

- 5.3 A Party or Candidate not able to participate in a public debate organized by the Commission must submit a written request to the Commission stating the reason seeking for exemption at least one week prior to the scheduled debate, as in **Annexure 3**.
- 5.4 The BBSC would bear the cost of production and airing of the broadcast.

5.5 Public debates shall be conducted as per the *Guidelines for Conduct of Public Debates, 2015*.

6. Posters, Banners and Other Sponsored Advertising Materials

6.1 The Section 78 of Public Election Fund Act provides that:

The Election Commission shall sponsor:

- (b) Brochures and pamphlet for Parties and Candidates of a value specified by the Commission;
- (c) Production and display of Posters for Parties and Candidates of the size and of a value specified by the Commission;
- (d) Media advertisements and postage of a value specified by the Commission;”

Therefore, the specifications for advertising material including posters, banners and placards for the Primary Round, General Elections, National Council Elections are as presented below in **Tables 1, 2 and 3**:

Primary Round

Table 1: Specification for Advertising Materials for Political Parties in Dzongkha/English

Sl. No .	Particulars	Standard Dimension	Average per constituency	Maximum Quantity per Party	Uses
1	Posters	28 x 19 inches	10	470	Public Display
2	Banners	3 x 1 m	1	47	Display during meetings for publicity

3	Placards	A5	1500	70500	Meetings/rallies/logos/symbols
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General Elections

Table 2: Specification for Advertising Materials for Candidates in Dzongkha/English

Sl. No .	Particulars	Standard Dimension	Average per Gewog	Maximum Quantity per Candidate	Uses
1	Posters	28 x 19 inches	10	10 x No. of Gewogs	Public Display
2	Banners	3 x 1 m		1	Display during meetings for publicity
3	Placards	A5	300	300 x No. of Gewogs	Meetings/rallies/logos/symbols

National Council Elections

Table 3: Specification for Advertising Materials for Candidates in Dzongkha/English

Sl. No .	Particulars	Standard Dimension	Average per Gewog	Maximum Quantity per Candidate	Uses
1	Posters	28 x 19 inches	10	10 x No. of Gewogs	Public Display
2	Banners	3 x 1 m		1	Display during meetings

					for publicity
3	Placards	A5	300	300 x No. of Gewogs	logos/symbols/ Meetings/ publicity

- 6.2 The Returning Officer shall, as soon as possible after the nomination proceedings have closed, issue a permit in the **Election Advertising Form No. 2 (A, B or C)** authorizing the display of posters and banners in the prescribed places.
- 6.3 The Commission shall bear the cost of production of the election advertising materials for Parties and Candidates, for the quantities specified in **Tables 1, 2 and 3**. The Commission shall ascertain that the procurement and production of the items specified above are based on competitive rates.
- 6.4 The Political Parties and Candidates however, shall be required to design and submit the content of the materials to be produced for the quantities specified in **Tables 1, 2 and 3** for verification and approval of the Commission.
- 6.5 Any other election advertising materials produced and distributed by the Political Parties or Candidates shall be subject to the expenditure ceiling and met from the Political Party or Candidates permitted amount.
- 6.6 Political Parties and Candidates shall be responsible for ensuring that the messages conveyed in the advertisement is not in violation of any of the provisions of the Electoral Laws, Rules, Regulations, Guidelines and interpretation made thereunder.

Local Government Elections

- 6.7 A Candidate contesting the Local Government Elections can incur expenditures for production of posters, banners and placards from his/her own sources, as per the specifications mentioned below:

Table 4: Specification for Advertising Materials for Candidates in Dzongkha/English

Sl. No .	Particulars	Standard Dimension	Average per Chiwogs	Maximum Quantity	Uses
1	Posters	28 x 19 inches	5	5 x No. of Chiwogs	Public Display
2	Banners	3 x 1 m	-	1	Display during meetings for publicity
3	Placards	A5	150	150 x No. of Chiwogs	Logos/ symbols/ meetings/ publicity

6.8 The purchase of broadcast time and space in print media, and advertisement materials produced and distributed by the Candidates shall be subject to the expenditure ceiling or permitted amount as provided under the Public Election Fund Act of the Kingdom of Bhutan 2008.

Done under the seal of the Election Commission of the Kingdom of Bhutan on this 27th of April 2016 corresponding to the 20th Day of the 3rd Month of the Fire Female Monkey Year in the Bhutanese Calendar.


 Election Commissioner
 
 Election Commissioner


 Chief Election Commissioner

Sample

ELECTION COMMISSION OF BHUTAN

Notification to the Media Functionaries

The Broadcast/Print Media functionaries are hereby notified to submit broadcast time and space availability with detailed rates to the Election Commission, immediately after issuance of Notification for Election to National Council/National Assembly.

These shall be announced to the Political Parties and Candidates as per Section 5.5 of Media Coverage of Elections Rules and Regulations.

Chief Election Commissioner

Media Arbitrator’s Guidelines

(As per Section 7 of the Media Coverage of Elections Rules and Regulations)

1. No media coverage on the contestants shall be allowed for a period of 48 hours prior to the hour of poll and till the poll closes.
2. Media Functionaries shall cooperate with the election officials and functionaries throughout the election period.
3. All Media Functionaries shall, before covering an election, acquaint themselves with the Reporting Format below:

Reporting Format of Media Functionaries

Sl. No.	Political Party/Candidate covered	Details/Particulars of Event	Date & time duration	Place
1				
2				
3				
Submitted by: (Name of the Media functionary) Address. Name & Signature				

4. All Media Functionaries shall acquaint themselves with Media Coverage of Elections Form No. 2.

5. Allotment analysis of broadcast time and space in print media to Political Parties and Candidates shall be carried out based on the information in the Reporting Format given above.
6. The Reporting Format must be filled and submitted to the Media Arbitrator after the declaration of results.
7. The Media Arbitrator will, as per Section 6.11 of MCERR, evaluate the performance of the Media Functionaries and report to the Commission.
8. All Media Functionaries shall abide by these Guidelines and the Media Coverage on Elections Rules and Regulations, Election Advertising Regulations and any law in force pertaining to elections and media.

ELECTION COMMISSION OF BHUTAN

Returning Officer

Election Commission of Bhutan

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Please refer to the notification No.: dated: issued by the Election Commission regarding the public debate to be held on

Since Party/Candidate is not able to take part due to It/ I may be kindly be exempted from participating in the public debate.

As per Section 80 of Public Election Fund Act, 2008 this request is being submitted one week prior to the scheduled debate.

(POLITICAL PARTIES AND CANDIDATES)

Signature

Name of the Political Party/Candidate/Authorised Representative:

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Address:

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