

2ND PARLIAMENT OF BHUTAN
10TH SESSION



Resolution No. 10

PROCEEDINGS AND RESOLUTION OF
THE NATIONAL ASSEMBLY OF
BHUTAN

(November 15 - December 8, 2017)

Speaker: Jigme Zangpo

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Resolution and Proceedings of the Tenth Session of the Second Parliament

1. Opening Ceremony

The 10th Session of the Second Parliament of Bhutan commenced on the auspicious 27th Day of the 9th Month of the Fire Female Bird Year corresponding to 15th November 2017. His Majesty the Druk Gyalpo was received in an elaborate Serdrang and Chibdrel Ceremony followed by *Zhugdrel-phuentsum tshog-pai ten-drel* ceremony.

Following that, the Speaker on behalf of the Members of Parliament and on his own behalf expressed deep gratitude to His Majesty the Druk Gyalpo for gracing the Opening Ceremony, leaving aside numerous important Royal Engagements.

The Speaker also welcomed Her Majesty the Gyaltsuen, Members of the Royal Family, representatives of the Central Monastic Body, foreign dignitaries, senior government officials, armed forces, Members of the parliament and all the people who had come to witness the occasion.

The Speaker reported that His Majesty the Druk Gyalpo had personally visited Haa, Samtse, Bumthang, Chukha and Gasa Dzongkhags and granted numerous *Kidu* to the needy people. Their Majesties accompanied by His Royal Highness the Gyalsey also visited Thailand to pay last respects and offer prayers for the cremation ceremony of His Late Majesty King Bhumibol Adulyadej, which strengthened close ties between Bhutan and Thailand and further deepened the relations to newer heights. Furthermore, His Majesty the Druk Gyalpo, accompanied by Her Majesty the Gyaltsuen and His Royal Highness the Gyalsey also visited New Delhi. The Royal

visit provided an opportunity to review the entire gamut of bilateral cooperation and to advance the special bilateral ties of friendship and cooperation between the two countries. On behalf of the Parliament, the Speaker offered gratitude to Their Majesties and His Royal Highness the Gyalsey.

Coinciding with the Birth Anniversary of His Majesty the Fourth Druk Gyalpo, Her Majesty the Gyaltsuen formally launched the “Bhutan for Life” initiative. The initiative is guided by the farsighted vision of His Majesty the Fourth Druk Gyalpo, and strengthened by the continued efforts of His Majesty the King, to provide a sustained flow of finance to maintain Bhutan’s protected areas and biological corridors for perpetuity. Her Majesty the Gyaltsuen had also declared and inaugurated the Ozone Park in Motithang recently. The Speaker, on behalf of the Parliament, expressed gratitude to His Majesty the Fourth Druk Gyalpo, His Majesty the King, and Her Majesty the Gyaltsuen for patronizing the noble initiatives.

To showcase strong bilateral ties between India and Bhutan, His Majesty had commanded for celebrations to be held to commemorate the golden jubilee of Indo-Bhutan diplomatic relations in 2018, following which a high level committee had been formed. The Parliament expressed gratitude to His Majesty the Druk Gyalpo. The Parliament also expressed its hope that the Chairman and the Members of the committee would effectively and successfully carry out the celebration of the event as commanded by His Majesty the King.

The Speaker, on behalf of the parliament, also expressed appreciation to the Government and people of India for providing continued financial assistance to support our development plans.

The Speaker reported that His Holiness the Je Khenpo had presided over the oral transmission of *Kanjur* before Buddha Dordenma statue at Kuensel Phodrang in Thimphu for three long months. The event was organized for the benefit of all sentient beings, continued flourishing of Buddha Dharma and for the peace and prosperity of the country. Similarly, His Holiness also presided over the Annual *Moenlam Chenmo* of Thimphu Dzongkhag. His Holiness made a generous contribution Nu.10,000,000.00 (Ngultrum Ten Million) to Bhutan Health Trust Fund with blessings and prayers for the good health of all Bhutanese. Additionally, His Holiness presided over the grand prayer ceremony of lighting of thousand butter lamps on the day of the Royal Cremation Ceremony of the late Thai King Bhumibol Adulyadej. The Parliament, on behalf of all people, offered deepest gratitude to His Holiness the Je Khenpo.

On behalf of the Parliament, the Speaker expressed deep gratitude to Her Majesty the Queen Mother Ashi Sangay Choden Wangchuck, the UNFPA goodwill Ambassador, and the Members of the Royal Family for carrying out various noble initiatives for the benefit of country and the people.

The Speaker reported that the first ever Asian Parliamentary Assembly's (APA) Standing Committee Meeting on Social and Cultural Affairs was successfully hosted in Bhutan. The meeting deliberated and successfully adopted the resolutions on achieving 2030 Agenda for Sustainable Development Goals (SDGs).

It was also reported that Lyonchen Dasho Tshering Tobgay addressed the General Debate of the United Nations General Assembly (UNGA) in New York on 22nd September 2017. Additionally, Lyonchen visited

195 Gewogs in the country to listen to the concerns and aspirations of the people and create awareness regarding the government's accountability and people's responsibilities. On behalf of the Legislative Body, the House extended appreciations to the Prime Minister.

The Speaker reported that a group of delegation led by Dasho (Dr.) Sonam Kinga, Chairperson of the National Council attended the APA and the IPU meetings and came out with successful outcomes. Similarly, a group of delegation led by the Speaker attended the Conference of the Association of SAARC Speakers and Parliamentarians (ASSP), and also visited Brussels upon the special invitation of the President of the European Parliament. The Parliament of Bhutan thanked the European Parliament (EP) for assuring development assistance and continued support in the coming years.

The Speaker expressed that, envisioning peace and prosperity in the country, His Majesty the Fourth Druk Gyalpo had propounded the visionary philosophy of Gross National Happiness. Accordingly, the Centre for Bhutan Studies (CBS) organized the 7th International Conference on Gross National Happiness in Bhutan. The Parliament extended appreciation to the Centre for Bhutan Studies and GNH Research for successfully hosting the conference.

The Speaker highlighted the agenda to be deliberated during the 10th Session and expressed his hopes and offered prayers, that with the blessings of the Triple Gem, noble guidance of His Majesty the Druk Gyalpo, prayers from the Monastic Body, collective merits of the Bhutanese people and the support from the Members of the Parliament, for the successful conclusion of the Tenth Session. The full speech of the Speaker is provided in **Annexure I**.

2. Introduction and Adoption of Bill

2.1 Motion on the First and Second Reading of the Royal Audit Bill 2017 (Private Member's Bill)

The Member In-Charge of the Bill, the Chairperson of the Legislative Committee and the Member from Tashichhoeling Constituency, moved the motion for the introduction of the First Reading and Adoption of the Royal Audit Bill 2017. The House, after a show of hands, adopted the motion.

Following which, the Member In-Charge moved the motion for the Second Reading of the Royal Audit Bill 2017. The Member In-charge submitted that since the Royal Audit Act 2006 was adopted prior to the adoption of the Constitution of Bhutan, many sections were inconsistent with the provisions of the Constitution and therefore, it was imperative to streamline those inconsistent sections in line with the provisions enshrined in the Constitution. It was also reported that the Bill was submitted as a new bill and not as an Amendment Bill since there were 80 new sections and also for the convenience of enforcement of the bill.

In addition, submissions were also made in accordance with the Lima and Mexico Declarations, recognized by the United Nations General Assembly Resolution and the declaration of the International Organization of Supreme Audit Institutions (INTOSAI), with the objective to gain international standards and credibility.

During the Royal Audit Authority's (RAA) submission to the Cabinet on the need to review the Bill, the Cabinet had instructed that the Bill be formulated in accordance with the Rules and Regulations for mainstreaming Regulatory Impact Assessment System. Further, in a

bid to amend and implement the Act during this government's tenure, the National Council had already introduced and adopted the bill as the private bill.

Following that, in accordance with the Section 54 of the Rules of Procedure 2014, it was resolved that the Third Reading of the Bill could be deliberated on 27th November, 2017 within the 10th Session. The House also directed the Legislative Committee to carry out extensive review of the bill and submit recommendations thereof, thus concluding the deliberation on the First and Second Reading of the Bill.

28th Day of the 9th Month of the Fire Female Bird Year corresponding to 16th November, 2017

2.2 Motion on the First and Second Reading of the Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill of Bhutan 2017 (Urgent Bill)

The Member In-Charge of the Bill, the Chairperson of the Legislative Committee and the Member from Tashichhoeling Constituency, moved the motion for the introduction of the First Reading and Adoption of the Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill of Bhutan 2017. The Member from Panbang Constituency seconded the motion and therefore, the House unanimously adopted the motion.

The Member In-Charge then moved the motion for the Second Reading of the Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill of Bhutan 2017. The Member submitted that the Amendment Bill was submitted as an Urgent Bill following the verdict passed by the Supreme Court on the abuse of SP Plus (Tramadol), and smuggling of drugs, which had been creating

risks to the peace in the society. Both the Houses had mutually agreed to discuss the bill as Urgent Bill.

Although the Supreme Court verdict stated that the Bhutan Narcotic Control Agency (BNCA) had the sole authority to update the list of drugs prescribed in the annexure of the Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill of Bhutan 2015, the Parliament had the authority to make laws. Thus, in order to prevent future inconveniences and with reverence for democratic institution, it was found imperative to amend Section 59 of the Act and revisit those cases passed with regard to abuse of SP Plus (Tramadol) prior to the Supreme Court verdict.

During the deliberation, the Speaker reminded that the Preliminary Meeting of the 10th Session held on 24th October 2017 resolved that the Speaker and the Chairperson of the National Council would determine if the Bill could be discussed as Urgent Bill. Upon being agreed as the Urgent Bill, the Bill therefore needed to be passed within the Tenth Session. Additionally, with the objective to solve drugs related issues, it was directed that the Legislative Committee carry out extensive review of the bill and submit recommendations thereof for the Third Reading of the Bill on 24th November 2017, thus concluding the deliberation on the First and Second Reading of the Bill.

28th Day of the 9th Month of the Fire Female Bird Year corresponding to 16th November 2017

2.3 Motion on the First and Second Reading of the Tourism Levy Exemption Bill of Bhutan 2017

The Member In-Charge of the Bill, the Minister for Finance, moved the motion for the introduction of the First Reading and Adoption of

the Tourism Levy Exemption Bill of Bhutan 2017. The Member from Khamdang-Ramjar Constituency seconded the motion and therefore, the House unanimously adopted the motion.

The Member In-Charge in his motion for the Second Reading of the Tourism Levy Exemption Bill of Bhutan 2017 submitted that under the wise and dynamic leadership of the glorious monarchs, the country's rich cultural heritage had been preserved and flourishing. This had encouraged and benefitted tourism in the country. Tourism was now one of the primary sources of government's revenue generation contributing to economic development of the country, besides creating employment opportunities, equal regional development, and opportunities for community businesses.

It was submitted that the motion to exempt the levy of daily tariff of US\$ 65 from the international tourists visiting the country was moved with the objective to boost economy and business in the country, provide equal regional development, streamline and improve tourism in the eastern Dzongkhags.

Deliberating on the matter, some Members submitted that the reasons tourists not visiting the eastern Dzongkhags were not because of the daily tariff of US\$ 65, but due to other factors such as poor road conditions, limited safety while travelling and lack of diversity of cuisine. There were no identified or designated tourists' areas and lack of or poor initiatives from the government's side.

It was suggested that tariff exemptions be granted to all the other fifteen Dzongkhags and not limit to only six eastern Dzongkhags. Moreover, it was also pointed out new provisions on refunding of tariffs

be drafted to prevent misuse of such facilities. Recommendations to improve tourist amenities besides exemption of tariff were also submitted.

Similarly, it was opined that exemption of tariff was contrary to the country's noble 'high value low impact' tourism policy aimed for achieving self-reliance and to graduate from least developed country to middle income country group. Such a move would affect the country's revenue and impede the benefits to the country.

Few Members also sought clarifications from the Government on whether the tourism related tax exemption were implemented in accordance with the resolutions adopted by the Parliament or if it was enforced as per the government's directives till date.

In response, the Member In-charge and some other Members clarified that the problems caused by road widening would be resolved with the completion of works and with regard to lack of diverse cuisines, the government had been providing hospitality related trainings to the employees working in restaurants and hotels to resolve such issues. Moreover, it was hoped that the blacktopping of gewog center roads and inauguration of Yonphula Airport would boost opportunities for tourism in the eastern Dzongkhags.

Additionally, it was also clarified that the tourism levy was implemented as per the Tourism Policy of 1992 and the charges and fees were in accordance with the Public Finance Act of Bhutan 2007 and Public Finance (Amendment) Act 2012.

The House resolved that the Third Reading of the Bill would be held on 29th November, 2017. The House directed the Finance Committee

to review the bill and submit recommendations thereof, and concluded the deliberation on the First and Second Reading of the Bill.

28th Day of the 9th Month of the Fire Female Bird Year corresponding to 16th November, 2017

3. Deliberation on the petition submitted by Pema Gatshel Dzongkhag regarding the maximum load carrying capacity for Druk Satiar trucks

The petition regarding the load carrying capacity for Druk Satiar trucks was submitted by Pema Gatshel Dzongkhag Tshogdu to the House. The Member from Nanong-Shumar Constituency submitted that the Road Safety and Transportation Authority (RSTA) should amend the existing rules to allow trucks to carry more than 8 tons of load.

During the deliberation, some Members said that the concern had been repeatedly raised by truck drivers, vehicle owners and the people during their constituency visits. People submitted that the price of vehicle parts and fuel had been rising annually. It was also submitted that the trucks manufactured in the recent times had improved horsepower and enhanced carrying capacity. Concerns were also raised that the Road Safety and Transportation Authority (RSTA) field staff had been levying fines and penalties without any consideration, when trucks exceeded more than 8 tons of load.

It was submitted that truck drivers work day and night for their livelihood and the concerned authority should look into amendment of the rules for their benefits.

It was also noted that such concern did not pertain to Pemagatshel Dzongkhag only but to all truckers across the country. With

development, more vehicles with improved horse-power were imported and roads conditions had also improved. Therefore, it was suggested that it would be timely to amend the existing rules to allow the trucks to carry more than 8 tons.

On that, the Minister for Information and Communications and other ministers clarified that the rules limiting the carrying capacity of the truck to 8 tonnes was passed by the government and had been following till date.

Although it was found imperative to support the matter, it was reported that the laws limiting the carrying capacity of not more than 8 tons was clearly prescribed under Section 68 of the Road Safety and Transport Act 1999. The government had also framed the rules earlier in keeping with the road conditions in the country, and the Ministry of Information and Communications (MoIC) had further notified regarding the carrying capacity of trucks in 2009. The rules had been prescribed keeping in mind the road conditions within the country and also considering the safety of the drivers.

Nevertheless, it was reported that the Road Safety and Transport Act had not been amended for many years and therefore, the Ministry of Information and Communications (MoIC) was in the process of reviewing the act as directed by the Cabinet. However, it was stated that Section 68 of the Act cannot be amended since, the carrying capacity of a particular truck had to be prescribed in the vehicle registration book as specified in the manufacturer's manuals issued along with the vehicles.

It was stated that if the RSTA and Royal Bhutan Police personnel fine vehicles plying in contravention to the prescribed rules but was

carrying load as specified in the manufacturer's manual, concerned drivers or the vehicle owners should report to the ministry. The Minister also submitted that the public should support and report if the drivers were found violating the rules.

The House resolved that the rules should be implemented in accordance with the Road Safety and Transport Act 1999, and the Road Safety and Transport Regulations 2015. It was also directed that the concerned authority should provide maximum awareness on the rules and regulations, and provisions for the benefit of the public. In addition, directive was made that the concerned ministry while reviewing the rules and regulations should also consider the policies of the country, views of the people, and thus concluded the deliberation on the petition received from Pemagatshel Dzongkhag.

28th Day of the 9th Month of the Fire Female Bird Year corresponding to 16th November, 2017

4. Question Hour: Group A - Questions relevant to the Prime Minister, Ministry of Information and Communications, and Ministry of Home and Cultural Affairs

The Speaker informed the House that for the day's Question Hour, there were six questions of which four were for oral responses and two for written responses. He also informed that House that the opportunity to ask supplementary questions would be given subject to availability of time.

1. The Opposition Leader submitted that the Government had earlier informed the Parliament that construction of Kholongchhu Hydropower had been started. However, it was revealed recently that the Concessional Agreement had been finalized and as such, no major construction works had been awarded thus far. The Member stated that the present Government would not be able to start a single mega

hydropower projects and thus asked the Prime Minister to clarify why the government failed to do so.

2. The Member from Panbang Constituency reported that it was estimated that the national debt would increase by around Nu. 83 billion, from Nu. 101 billion to Nu. 184 billion during this Government's tenure. It was submitted that this was a huge increase and was in sharp contrast to the Government's pledge to contain the national debt. Therefore, the Member sought clarification from the Prime Minister for such a huge increase in national debt, keeping in mind that not a single major national project had been initiated.
3. The Member from Kengkhar-Werringla Constituency reported that the Government during its 2013 campaign had pledged to provide unemployment benefits to unemployed youth, besides promising 100% employment. However, the Member expressed that neither the 100% employment promise was fulfilled nor unemployment benefits provided to those unemployed. The Member asked the Prime Minister to provide clarification on the matter.
4. The Member from Bumdeling-Jamkhar Constituency reported that the Government had pledged to send old people above 65 years on pilgrimage. However, it was reported that the people had not received any services. Therefore, the Member asked the Prime Minister to inform the House as to how many people had been sent on pilgrimage till now.

29th Day of the 9th Month of the Fire Female Bird Year corresponding to 18th November, 2017

Note: *Detailed answers and deliberations on the abovementioned oral questions and written question submitted by the Member from Bumdeling-Jamkhar Constituency and the Member from Radhi-Sakteng Constituency to the Ministry of Information and Communications are provided separately in the verbatim book published for reference.*

5. Ratification of Agreement

5.1 Agreement Between the Royal Government of Bhutan and the Government of the People's Republic of Bangladesh for the Avoidance of Double Taxation and the prevention of Fiscal Evasion with respect to Taxes of Income

The Member In-Charge of the Agreement, the Minister for Finance, moved the motion for the First Reading of the Agreement. The Member In-Charge reported that the Agreement was signed on 18th April 2017 corresponding to the 22nd Day of the 2nd Month of the Fire Female Bird Year in Thimphu. It was reported that the signing of the Agreement between the Government of the People's Republic of Bangladesh and the Royal Government of Bhutan would further strengthen the ties between the two countries, avoid double taxation and prevent income tax evasion. Accordingly, to strengthen the existing ties between the two countries and considering the benefits of regional deal on the tax, the Members unanimously adopted to deliberate the Agreement through the show of hands.

Following that, the Member In-Charge moved the motion for the Second Reading of the Agreement. It was submitted that under the wise leadership of Their Majesties, the Royal Government of Bhutan and the Government of the People's Republic of Bangladesh have shared strong relations and signed many Agreements which had greatly benefitted both the countries. It was also reported that most of the services and machinery were imported by Bhutan and benefitted Bhutan in many ways. Besides benefitting those people providing services in the areas of aviation, health, manufacturing and social media, it would also attract Foreign Direct Investments. As the Agreement is an integral part for trade between the two countries, the

Member submitted his hopes that the Agreement would be ratified unanimously.

The Speaker directed that in accordance with the Section 150 (c) of the National Assembly Rules of Procedure (Amendment) 2015, the Agreement would be deliberated Article by Article and then considered for adoption. During the deliberation on each Article, the Members recommended that the word “**Treaty**” in Dzongkha must be amended to “**Agreement**” as per the provisions of the Constitution.

The Speaker directed that the extra word in the second paragraph of the first page be deleted and the words *treaty* in the Agreement be amended to Agreement, and also to rectify the spelling errors in the Agreement.

After thorough deliberation, on Article 32 which pertain to the duration of the Agreement, one Member submitted that to terminate the Agreement, a notice of termination should be given at least six months before the end of any calendar year after the fifth year following the year in which the Agreement had entered into force. However, there was no provision in case the Agreement needed to be reviewed before the five year term.

On that, the Member In-Charge of the Agreement, the Minister for Finance stated that the purpose of maintaining the five years duration for the Agreement was considering its objective and background, and to maintain trust between the two countries. As the Agreement was similar to the Agreement signed with the Government of India, the Member reaffirmed that the House could support for adoption. On that, one Member submitted that the duration of the Agreement was

not based on the trust but as per the international norms. Accordingly, all Members unanimously agreed to ratify the Agreement including Article 32. The House commended the concerned offices responsible for the Agreement, and adopted the Agreement as per the Rules of Procedure on 20th November, 2017 and therefore concluded the deliberation.

29th Day of the 9th Month of the Fire Female Bird Year corresponding to 17th November, 2017

On 2nd Day of the 10th Month of the Fire Female Bird Year corresponding to 20th November, 2017, the Member In-Charge of the Bill, the Minister for Finance while moving the motion to pass the Agreement, reiterated that the Agreement, once ratified and implemented would benefit in avoiding double taxation, benefit the trade between the two countries and hugely benefit the economy of the country. In accordance with the motion moved by the Member In-Charge for ratification of Agreement, all 37 Members supported the motion and thus concluded the deliberation on the Agreement between the Royal Government of Bhutan and the Government of the People's Republic of Bangladesh for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes of Income. The Voting list is provided in **Annexure II**.

6. Question Hour: Group B - Questions relevant to the Ministry of Foreign Affairs, Ministry of Works and Human Settlement, and Ministry of Education

The Speaker informed the House that for the day's Question Hour, there were sixteen questions of which thirteen were for oral responses and three for written responses. The opportunity to ask supplementary questions would be given subject to the availability of time. He

also informed the House that since both the questions submitted by the Member from Wamrong Constituency and the Member from Nubi-Tangsibji Constituency to the Ministry of Works and Human Settlement pertained to the East-West highway constructions, those two questions were classified as 1 A and 1 B respectively.

1. A. The Member from Wamrong Constituency said that the construction of East-West Highway was progressing well and the benefits upon the completion would be immense. However, the Member reported that apart from the general commuters, bus and tour operators were complaining about the current conditions. The Member questioned the Minister for Works and Human Settlement whether the current Government would complete the works within the remaining eight months' time.

B. The Member from Nubi-Tangsibji questioned the Minister for Works and Human Settlement to explain to the House as to why the progress of the widening works (East –West Highway) between Tsheringma Drupchu (Tangsibji Gewog) and Yutongla was so poor.

2. The Opposition Leader reported that road construction in Chamkhar town was stopped due to some land owner refusing to allow construction as it affected their houses. It was stated that during the Member's clarification from the Ministry during the last session, the Member received a written response stating that the issue had been resolved. However, the Member submitted that during his recent visit to Bumthang, it was learnt that the issue had not been resolved and the road construction had been stopped. The Member questioned the Minister for Works and Human Settlement to provide explanation as to why that misinformation took place and why the issue could not be solved.

3. The Member from Dokar-Sharpa Constituency expressed that the Minister for Works and Human Settlement had carried out numerous initiatives which were beneficial to the nation. The Member added that one of the most important initiatives of the Minister was assuming the responsibility as the Chairperson of the National Commission for Women and Children (NCWC) and carrying out various fruitful initiatives. The Member asked the Minister for Works and Human Settlement to highlight some of the achievements the Minister made in her capacity as the Chairperson of the NCWC.
4. The Member from Panbang Constituency submitted that the Southern East-West Highway was considered a critical national highway and was scheduled for construction in the 11th Plan. However, the Member submitted that the present Government had announced its deferral. It was reported that given its national importance, the whole nation was highly upset about its deferral and most anxious for its construction to begin. Therefore, the Member asked the Minister for Works and Human Settlement to inform the House when the Southern East-West highway construction would begin.
5. The Member from North Thimphu Constituency questioned the Minister for Works and Human Settlement to provide clarification to the House as to why there had been the delay in the plan for blacktopping of urban roads in Hejo, Samtenling, Jungshina and Pamtsho.
6. The Member from Kengkhar-Werringla Constituency submitted that on repeated submission to the Government, the Government had informed that the consulate office in Gawahati would be opened. However, it was reported that the office was yet to be opened. Thus,

keeping in view the importance of the consulate office for the eastern Dzongkhags, the Member requested the Minister for Foreign Affairs to update as to when the office would be opened.

7. The Member from Dophuchen- Tading Constituency submitted that in the 11th FYP, GC roads construction for 205 gewogs had been given to DoR as additional works on top of constructing the National Primary and Secondary Highways and bridges. At present, almost all the GC roads were blacktopped; 184 GC roads would be done by the end of the year. As the GC roads construction was centrally executed from the HQ, the Member asked Minister for Works and Human Settlement as to whether there was a possibility of taking into account the concerns of the beneficiaries (the local people).

The Member also submitted the following issues submitted by the Public of Dophuchen-Tading Constituency:

- 1) That Gewog, Dungkhag and Dzongkhag Administrations had nothing to explain when roads were not completed on time by contractors, when roads were blocked and not maintained during monsoon.
 - 2) Could there be ways to adapt an administration system where LGs had equal administrative responsibility.
 - 3) That local people did not know whether sufficient budget had been allocated and funds sources were identified before inclusion in the 11th FYP.
8. The Member from Drametse- Ngatshang Constituency stated that the Supreme Court in its writ on the declaration of 16 Dzongkhag Thromdes and 20 Yenlag Throms confirmed the decisions as unconstitutional and illegal and had directed the government to

review the whole issue through the establishment of a high level legal experts committee. The Member questioned the Minister for Works and Human Settlement to provide an update to the House on the status of the review works.

9. The Member from Drujeygang-Tseza Constituency reported that there were 574 Non-Formal Education Centers with 574 instructors and 307 Early Child Care Development Centers with 442 instructors in the country. The monthly salary of those instructors was Nu.8,200 only and they were not entitled to pension and contract allowances. Thus, the Member asked the Minister for Education to inform the House whether there were any plans or possibilities to provide such benefits to those instructors.

Following that, the Speaker informed that all thirteen questions could not be tabled due to time constraints. He expressed regret on the four remaining questions submitted by the Member from Bumdeling-Jamkhar Constituency, the Member from Jomotshangkha- Martshala Constituency, the Member from Chumig-Ura Constituency and the Member from Khamed-Lunana Constituency to the Ministry of Works and Human Settlement, and thus concluded the session.

3rd Day of the 10th Month of the Fire Female Bird Year corresponding to 21st November, 2017

Note: *Detailed answers and deliberations on the abovementioned oral questions and written questions submitted by the Opposition Leader and the Member from South Thimphu Constituency to the Ministry of Works and Human Settlement are provided separately in the verbatim book published for reference.*

7. Report on the implementation status of resolutions

7.1. Report on the implementation status of the resolution relating to Bhutan Children's Parliament

In the 9th Session, during the deliberation on the Budget for the Financial Year 2017-18, the House directed the Ministry of Education and the Election Commission to conduct a thorough review and present a joint report on Bhutan Children's Parliament in the Tenth Session.

Accordingly, the Education Minister reported that under the coordination of the Ministry of Education and in consultation with the relevant agencies, an expert committee was formed to carry out comprehensive review on this matter.

The expert committee reported that, in order to build a strong foundation for democracy, it was imperative to educate the future youth on the electoral processes and procedures. In line with the Constitution of Bhutan Children's Parliament, 205 Democracy Clubs were established in schools with a total of 7,193 registered Members.

Furthermore, it was reported that Bhutan Children's Parliament and the Democracy Clubs would not only give hands-on experience to the students with respect to the Constitution of the Kingdom of Bhutan but also give additional knowledge on Bhutanese History and social studies. This would further benefit the liberal implementation of the curriculum and also provide an opportunity among the students in exchanging their aspirations and views and help develop leadership skills to be future leaders.

For the sustainability of Bhutan Children's Parliament, the Ministry of Education and the Election Commission had submitted a proposal

to the Government for the Annual Budget. It was made clear that the resolution of Bhutan Children's Parliament was non-binding for the Ministries and the agencies but submitted for kind information. The expert committee submitted six recommendations for endorsement by the House as follows;

- 1) To continue with the current Bhutan Children's Parliament
- 2) To continue Bhutan Children's Parliament as part of education activity only
- 3) The resolution of Bhutan Children's Parliament to be submitted to Ministries and Agencies for information
- 4) Train the teachers in conducting Democracy clubs
- 5) Enhance coordination between the Ministry of Education and the Election Commission
- 6) Carry out comprehensive research on the impact of the Bhutan Children's Parliament

Deliberating on this, the Members raised that the role of the Election Commission was to conduct the electoral process in free and fair manner in line with Section 1 Article 24 of the Constitution but not to plan and establish such programs in schools. The main objectives of sending youth to school was to learn the values and skills useful to society and the benefits and impact of learning politics in schools needed to be studied. If it was necessary to study politics then it was recommended that the subject be included in the curriculum instead.

In addition, it was also suggested that Bhutan Children's Parliament and the Democracy clubs be discontinued for the time being since there was a risk of children getting politicized, until such a time where plans and appropriate policies were put in place.

Some of the Members also opined that instead of educating the youth on politics, it would be more beneficial to educate children on the concept of the three branches of the Government, their roles and responsibilities, traditional norms and showing compassion to elderly, since those values were on the verge of disintegration. The House was also reminded to consider if Bhutan Children's Parliament needed to be established following the examples of other countries or established considering the future of the country.

To this, the Education Minister clarified that such programs were conducted by the Election Commission in line with the Elections Act 2008. To prevent politicization of children by politicians during their election campaigns in the schools, various activities had to be carried out as part of creating awareness. Moreover, in order to preserve the traditional customs and on being compassionate, there were many programs already established and ongoing in schools. Further, he also submitted that prayers were conducted every morning and evening and during the school events, the mask dances and other dances were performed. The students were well versed that even during the *Rimdos*, they were competent enough to take the responsibilities of the *Choeps*, and hence, there was no concern of disintegration of the culture.

In addition, he stated that the session for Bhutan Children's Parliament was normally held during summer and winter breaks which did not affect the normal study routine. He urged that the current practice of Children's Parliament be continued as recommended by the expert committee.

The House passed the six recommendations submitted by the expert committee based on majority show of hands and decided to

continue Bhutan Children's Parliament. The House also resolved that the Ministry of Education should carry out in depth assessment and research on whether the establishment of Bhutan Children's Parliament was in line with the provisions of the Constitution, whether the responsibility to coordinate such program was within the purview of Ministry of Education or the Election Commission of Bhutan and also whether Bhutan Children's Parliament would politicize the children. Subsequently, the report on the implementation status of the resolution relating to Bhutan Children's Parliament concluded.

3rd day of the 10th Month of Fire Female Bird Year 2017 corresponding to 21st day of the 11th Month of 2017

7.2. Resolution on the implementation status report on the Formulation of Stabilization Fund Rules and Regulations

During the deliberation on the budget for the FY 2017-18 in the Ninth Session, the Government for the first time had established the stabilization fund with seed money of Nu. 100.00 million. Following this, the House directed the Finance Minister to report on the formulation of Rules and Regulations for the Stabilization Fund in the Tenth Session.

Accordingly, the Finance Minister submitted that in the FY 2017-18, the Stabilization Fund was established with a seed money of Nu.100.00 million in line with section 169 and 170 of the Public Finance Act, 2007 with the objective to *“maintain macroeconomic stability by sterilizing lumpy inflow of money from electricity exports and convertible currency related flows and mitigate imbalances in external sector, volatility in liquidity and support counter-cyclical measures in times of economic crisis for achieving desired level of economic growth”*

It was reported that a committee comprising of representatives from Ministry of Finance, Royal Monetary Authority, Ministry of Economic Affairs, GNH Commission and DHI was formed and that the committee was working on the formulation of rules and regulations. He said that although the Committee was expected to take some time studying and assessing international practices thoroughly, the draft rules and regulations was expected to be submitted to the Cabinet towards end of 2017 and start implementation the fund by beginning of 2018.

Deliberating on this, Members expressed their concerns towards ambiguity on the motive to establish the stabilization fund and also on whether the fund was for the purpose of general economic stabilization or a fund for the revenue generated by the hydro power. Further, it was submitted that the Government should take cognizance of section 169 of the Public Finance Act 2007 which required the Government to abstain from establishing such funds. As per the resolution of the House, a draft guidelines for the Stabilization of Fund was to be submitted to the House and since this was not submitted a basis for deliberation needed to be established. Further, it was also pointed out that since the stabilization fund was not permanent like that of Trust Fund, it should be reported and reflected in the annual budget report.

To this, the Chairperson of the Finance Committee, the Member from Wamrong Constituency, reported that during the formulation of the guidelines for the stabilization fund, the expert committee had submitted the following recommendations:

1. To state how the stabilization fund will improve the trade deficit.
2. To discuss measures to how the stabilization fund will restrict the outflow of money since import exceeds export in the country.

3. To include measures to continue the stabilization fund in the future.
4. To formulate measures on how the stabilization fund will help when the Gross Domestic Product fails to meet the expenditure.
5. Show how the stabilization fund will strengthen the value of the money exchange.
6. To institute measures as to whether the stabilization fund will be given the fixed account or whether the revenue will be generated from the interest collected from the money spent on others.
7. To include how the stabilization fund will secure the Government's consolidated fund.
8. Show how the stabilization fund will maintain the foreign currency reserve.
9. To include measures on how to resolve similar issues faced by Netherland if Bhutan is faced with similar incident.
10. To include measures on how the stabilization fund will manage the National Debt
11. To determine which institution will manage and operate the stabilization fund.

Along with those recommendations, the Members recommended that criteria for establishment of the stabilization fund and the procedures on the usage of convertible currencies in the rules and regulations be highlighted.

On this, the Ministers on behalf of the Government clarified that since the Cabinet endorses the rules and regulations formulated by the relevant ministries, the draft rules and regulations were not distributed to the Members as the Parliament had no role to play. Further, the House was informed that despite having several planned government pledges to be fulfilled, in order to fulfill the vision of His Majesty, Nu.100.00 million had been used to establish the stabilization

fund from the budget for the planned activities. The fund had been categorized as general stabilization fund since it did not only include the hydropower projects and economy but also could be used to meet the expenses incurred during the time of natural disasters. With the graduation from Least Developed Country to Middle Income Country, there would be implications on our economy with the discontinuance of assistances by some of the donors. During such inconveniences in future, hydro power was the only thing we could rely on, hence, much importance was given to the Hydro power and accordingly the stabilization fund had been established.

Further, it was pointed out the fund could also be used during the times of economic crisis that might occur in neighboring countries with whom we have trade relations, the impact would also be felt in our country.

The House passed the report presented by the Finance Minister through majority show of hands. The House directed that the Expert Committee consider the recommendations made by the Members and expedite the formulations and implementations of rules and regulations for the stabilization fund. Consequently, the report on the implementation status on the Formulation of Stabilization Fund Rules and Regulations concluded.

4th Day of the 10th Month of Fire Female Bird Year 2017 corresponding to 22nd Day of the 11th Month of 2017

7.3. Resolution on the implementation status of the Good Governance Committee Report on the feasibility of the Establishment of the Ombudsman's Office

As per the resolution of the 9th session, the Dy. Chairperson of the Good Governance Committee, the Member from Nyisho-Saephu

constituency, presented the report following a coordination meeting between the Anti-Corruption Commission (ACC) and the Good Governance Committee (GGC) on the feasibility of the establishment of the Ombudsman's Office.

It was reported that, the establishment of the Ombudsman's office would enable the Anti-Corruption Office to concentrate on its core mandate and ease the administrative burden of the agencies. The ACC had come up with the procedure in screening the administrative complaints which did not warrant court order and refer them to the respective agencies for further action. Such referrals were however subject to serious "conflict of interest" situations as the cases were sent to the very agencies against which complaints were made in the first place, while also burdening the agencies.

It was also recommended that a small distinct unit within the ACC could be established and the head and the staff be appointed as deemed fit in consultation with ACC and RCSC. Further it was reported, that later this office could be detached and established as a separate independent office once it gained experience and stability.

While deliberating the report, the Members opined that due to changing times, it was imperative to establish the Ombudsman's Office. However, it was felt that rather than establishing as a separate office, the Government and the RCSC could provide budget and additional manpower to ACC and for the time being such an office could be established as separate department or division or section within the ACC. Gradually, considering the importance in future, the unit could be separated from ACC as an independent office.

On the contrary, there would be inconveniences between the ACC and The Ombudsman's office, should such office be established as an independent office with immediate effect.

In addition, it was expressed that with establishment of the Ombudsman's Office, there was a possibility of having additional complaints and cases. Hence, it was felt that there was no need for a separate office from ACC. On the other hand, some opined that, considering the importance of such office, an independent office for the benefit of public should be established.

After a lengthy deliberation, the House resolved that there was a need for new Act, Rules and Regulations if a separate Ombudsman's office was to be established with immediate effect. Therefore, as suggested, the House through show of hands decided that, a department or division or a section under the ACC be instituted with additional man power provided by RCSC and additional budgetary support provided by the government. After having gained enough experience, the unit could be separated from ACC as an independent office in future. Subsequently, the report on the implementation status of the resolution on the feasibility of establishment of the Ombudsman's Office was concluded.

4th Day of the 10th Month of Fire Female Bird Year 2017 corresponding to 22nd Day of the 11th Month of 2017

8. Resolution on the Report on Situation of Elderly by the Social and Cultural Committee

The Chairperson of the Social and Cultural Committee, the Member from Nyishog-Saephu Constituency, presented the report related to sustainable development on healthcare of the elderly people to the House.

The Chairperson highlighted the provisions of the Constitution, the objectives of the Sustainable Development Goals, the country's age-old traditions and culture of love and respect for parents and children, allegiance and principle of *karma*, and the importance of respecting the elderly and superiors to achieve the country's overarching goal of Gross National Happiness. He also said that with our country's population set towards ageing, it was crucial to understand the changes occurring in the lives of our elderly citizens and to address the challenges faced by them and promote healthy ageing and bring improvement to their lives and submitted the following recommendations:

1. Design policies and programmes to preserve and promote the institutions of extended family system and community life so that elderly citizens continue to enjoy social protection [within them] including the legal obligations for children and family to look after their aged parents;
2. Strengthen the geriatric care in Basic Health Unit (BHU) and hospitals.
3. Clearly redefine and promote the complementary functions of the existing tripartite social protection system: kidu system, family care and support system and formal social security schemes;
4. Provide homes/shelters to those elderly persons in rural or urban areas who have no children or abandoned in their own villages or communities close to a Lhakhang under the care of a Lam and a health personnel.
5. Introduce old age pension scheme or system of tax rebate.

6. Aggressively promote cultural values, which are universal and secular, by all stakeholders – Dratshang Lhentshog, education and training institutes, government and private agencies - the entire society.
7. Exhibit due respect and recognition during the national and local functions.
8. Provide leisure space in urban areas and ensure that public space, facilities, etc. have proper access suitable for old and disabled person.
9. Extend privileges and concessions to the elderly in public service centers and institutions such as Transport, Health Care, Banks and etc.
10. Provide training for special care giver.

Deliberating on these, the Members expressed that the ageing population was an emerging issue in most of the countries. By the grace of the successive monarchs, with free and improved health and education facilities, the life span of the population had increased. Hence, it was timely to have proper plans and policies to curb the possible problems and challenges that an aging population face and provide equal opportunities to the elders.

To provide for healthy ageing and to maintain general health, there was a need to conduct and encourage various physical activities and provide the elderly with social security, due respect, and measures such as tax exemption on pensions.

On the first recommendation, Members pointed that to make the children legally responsible for their parents was not going to be feasible. Therefore alternative and better plans and programs should be formulated and implemented.

Similarly, it was pointed out that recommendation three and five be withdrawn since recommendation three was related to *Kidu* which was the sole prerogative granted by His Majesty the King and recommendation five was similar to recommendation one and was a policy issue. It was suggested that recommendation six could be reformulated as “to promote secular social and traditional values”.

On the first recommendation, regarding the legal obligations for the children and family to look after their aged parents, the House instructed the Government to explore possibilities of approaching the problem from a different angle and formulate plans and policies to that end.

Similarly, the House resolved to withdraw the third and fifth recommendations and to reformulate the sixth recommendation as “to promote secular social and traditional values”. The House passed other recommendations submitted by the committee through majority show of hands.

The Speaker informed that the government, private sectors and the relevant agencies to be mindful of this program while formulating any policies and plans and reminded on the importance of paying respect and being nice to the elderly. Subsequently, the deliberation on the Report by the Social and Cultural Committee was concluded.
4th Day of the 10th Month of Fire Female Bird Year 2017 corresponding to 22nd Day of the 11th Month of 2017

9. Resolution on the Motion on Objection to Corporatization of Jigme Dorji Wangchuck National Referral Hospital (JDWNRH) by the Opposition Party

The Member from Panbang constituency moved the motion to stop corporatization of JDWNRH and highlighted the importance

of considering the sustainability during formulation of any Government policies. Further he stated that despite objection made by the Opposition on the policy of the Government to corporatize the JDWNRH, the Government has already formed a Committee to study the feasibility of corporatizing the JDWNRH.

As corporatization meant commercialization, it basically meant people would require paying for availing the health-care services in future and was a violation of provisions of the Constitution and went against the noble vision and cherished policy of our successive Monarchs, to provide free health and education to pursue the policy of social equity.

It was further pointed out that the corporatization of JDWNRH would gradually result into the corporatization of regional and dzongkhag hospitals and in due course of time, lead to privatization and eventually, all the public healthcare facilities could land in private business hands. In particular, it would affect equitable access to public healthcare services and widen the gap between the rich and the poor. This would deprive the poor and the humble from receiving healthcare services. Hence, it was recommended that the government look for alternate measures to retain medical specialists instead of corporatization.

Further, he said that this would ultimately impede the reputation of our country as Gross National Happiness country earned because of the highly noble, visionary and cherished policy of our successive Monarchs to provide free healthcare and education facilities. Hence, the Opposition party moved the motion to stop the corporatization of JDWNRH and submitted that this motion be put to voting in the House.

On behalf of the government, the Health Minister clarified that the proposal to corporatize JDWNRH was carried out with the objective to improve and provide quality and timely services to the people and to retain medical specialists. He clarified that consultations and research work were still being conducted by experts and results of the study was yet to be established. He explained that the government had not taken the decision yet and that the public were misinformed that corporatization would mean having to pay for healthcare services.

He further informed that JDWNRH was declared as an autonomous body in 2014 and with the appointment of the President, healthcare services and the facilities had improved and with full financial autonomy, the working environment had also been made more conducive and convenient.

He added that if the government had decided to corporatize the hospital, it would not have spent a huge budget of Nu1.000 billion on the construction of Gyaltseen Jetsun Pema Mother and Childcare Hospital and the construction of eye hospital with the support from Gyalyum Kesang Choeden Wangchuck.

Similarly, the procurement of expensive equipment for the treatment of kidney and cancer patients, additional 18 other services were initiated, including the patients' beds and additional ambulance. Furthermore, year 2018 marked the 50th anniversary of bilateral relations between India and Bhutan, the plan for the construction of big hospital funded by the Government of India for the treatment of cancer patients would not be executed. All those initiatives of the Government, he said, was to provide free healthcare services to the people and therefore the people need not worry about having to pay

for healthcare services. He reassured the House that there was no such policies and plan for the corporatization of JDWNRH.

The House resolved that there was no need to have further deliberation on the issue since both the motion moved by the Opposition Party and the submission made by the government were on the same page. The motion was put to vote and out of the 39 Members present and voting, 19 voted “Yes”, 15 “No” and 5 “Abstain”. Subsequently, the motion to stop the corporatization of JDWNRH was passed. Voting list is attached as **Annexure III**.

5th Day of the 10th Month of Fire Female Bird Year 2017 corresponding to 23rd Day of the 11th Month of 2017

10. Report by the Economic and Private Sector Development Committee (EPSDC) on ‘National Employment Situation’

The Dy. Chairperson of the Economic and Private Sector Development Committee (EPSDC), the Member from Shompangkha Constituency submitted the Report on National Employment Situation to the House in accordance with the Section 310 of the National Assembly Rules of Procedure 2014.

As per the Committee’s mandates and power to conduct review of labour and employment policies, legislations and related issues, the National Employment Situation had been reviewed based on the Labour Force Survey Report (LFSR) of 2015 and Draft Labour Force Survey Report 2016. The Report was presented in five parts:

- i. National Employment Situation
- ii. Youth engagement and job plan 2016-17
- iii. Youth engagement and job plan 2017-18
- iv. Challenges
- v. Recommendations

The Committee presented the following recommendations:

1. Financial institutions should be encouraged to come forward to grant loans under the overseas education loan scheme so that it opens up not only job opportunities for our youth but also to acquire work skills which would ultimately benefit our own economy on their return.
2. Private sector development should be supported and encouraged. The growth of private sector would unquestionably create more jobs.
3. There should be focus on giving skills to our youth to make them ready for job. Career oriented vocational skills training and education for the youth should be encouraged.
4. Self-employment should be encouraged. Having an enabling environment for entrepreneurship (with better access to finance and business opportunities) job seekers would be able start new businesses and be self-employed.
5. Tuition fee support for language courses should be reconsidered.

Deliberating on the matter, some of the Members submitted that despite the need to publish the Labour Survey Force Report since 1998, the government was yet to publish the Labour Survey Force Report 2016. Moreover, it was stated that as per the report the general unemployment rate had decreased from 2.5% in 2015 to 2.1% in 2016, and youth unemployment was seen to be a matter of concern. It was expressed that there was no equality in the distribution of employment opportunities in the government and private sectors, poor employment quality, and issues of pre-selected candidates prior to the declaration of the posts.

Similarly, it was expressed that opportunities for training the youth were provided to the foreign institutes rather than providing it the

institutes in the country. It was submitted that in order to improve the economy of the country and to curb unemployment issues, the government should encourage industrial development, minimize import and maximize the sale of domestic products, and create more opportunities for the youth. It was also recommended that skills and related guidance should be included in the education syllabus to ease the challenges of finding jobs for the youth. Since the introduction of goods and services tax in India had been creating inconveniences to the industrial development, it was found imperative for the Government to formulate measures to address the issue.

On that, the Government in its clarification submitted that the Labour Survey Force Report 2016 could not be published on time since the Bhutan Living Standards Survey Report, Population and Housing Census Report and Labour Survey Report all contained employment issues. And as there were risks of providing varying information to the people there was a need to thoroughly study the issue. Due to which, the Cabinet could not finalize the report on time. It was also reported that the main reason for the rising number of youth seeking employment were because youth were not willing to take up jobs created by the government, and youth did not enroll themselves with the Ministry of Labour and Human Resources for jobs.

Additionally, it was reported that reasons for variation of job selection process for the government, private and corporation were due to lack of good online system for job selection process, which might create room for errors. Regarding the quality of jobs, it was reported that it was difficult to provide jobs as per the preference of youth. It was also clarified that the motives of awarding external consultants for trainings and jobs, were for the purpose of ensuring capable youth

when seeking jobs both inside and outside the country. It was further reported that in order to solve employment issues, the Government came up with policies and plans to improve industrial, agriculture and private sectors. Following an extensive deliberation, the House while ascertaining the support on the recommendations submitted by the Committee, supported the recommendations through show of hands, and thus adopted the recommendations and concluded the deliberation on the report.

5th Day of the 10th Month of the Fire Female Bird Year corresponding to 23rd November, 2017

11. Question Hour: Group C - Questions relevant to the Ministry of Economic Affairs, Ministry of Finance, and Ministry of Labour and Human Resources

The Speaker informed the House that for the day's Question Hour, there were fourteen questions of which 10 were for oral responses and four for written responses, and commenced the session for the day.

1. The Member from Bartsham-Shongphu Constituency reported that the exemption of excise duty on petrol and diesel by the Government of India had led to fall in the prices of two products. The Member questioned the Minister for Economic Affairs whether the entire excise duty had been passed on to the consumers or not.
2. The Member from Kabji-Talog Constituency questioned the Minister for Finance if there were possibilities of granting certain amount of budget to the Dzongkhags every year to fund relief activities during the times of disasters.
3. The Member from Drametse-Ngatshang Constituency submitted that the Government in its manifesto had pledged to formulate a

comprehensive Private Sector Development Plan. The Member asked the Minister for Economic Affairs to share the details of the comprehensive plan drawn up if any.

4. The Member from Panbang Constituency reported that the Budget Report 2017-2018 had projected a budget deficit of Nu. 4.8 billion at the end of the financial year. The Member also reported that as per the World Bank and Asian Development Bank, the actual budget deficit could be much higher due to the impact of Goods and Services Tax (GST), delay of hydropower projects and other economic problems. The Member questioned the Minister for Finance to inform the House on the actual estimated budget deficit by the end of FY 2017-2018.
5. The Member from Nyisho-Sepchu Constituency made submission that it had been observed that Bhutanese contractors sub-contracting from the Indian contractors of the Punatsangchu Project had not been paid for more than five to six months and some even for a year. The Member added that when the contractors asked for payment they were told that the government had not paid them or that the Finance Director of Punatshangchhu project had not disbursed the payments. Therefore, the Member asked the Minister for Economic Affairs to clarify on the matter.
6. The Member from Bumdeling- Jamkhar Constituency submitted that the PDP had pledged that the external commercial borrowings would be permitted for the private sector. The Member asked the Minister for Finance to inform the House as to whether that initiative had been carried out or not.
7. The Member from Kengkhar-Werringla Constituency submitted that the Prime Minister had reported of having more jobs than

the registered number of job seekers. The Member questioned the Minister for Labour and Human Resources to inform the House on the kind of jobs available and why the jobs on offer were not taken up by unemployed youth.

8. The Member from Wamrong Constituency submitted that there were reports of incidences of people mixing kerosene with the fuel at the fuel stations, which had damaged vehicle fuel related parts costing huge amount to vehicle owners. The Member questioned the Minister for Economic Affairs on the Ministry's initiative to curb such malpractices and penalties for such practices.
9. The Member from Nganglam Constituency reported that one of the pledges of the PDP was to initiate a Pension Scheme for the private sector employees and establish Provident Fund and Gratuity. The Member questioned the Minister for Finance to inform the House as to whether the pledge had been fulfilled, and the benefits received by the private sector.
10. The Member from Nanong-Shumar Constituency submitted that the Government had pledged to set up Fuel Station in each Gewog. The Member questioned the Minister for Economic Affairs to inform the House on the number of stations established in the Gewogs.

6th Day of the 10th Month of the Fire Female Bird Year corresponding to 24th November, 2017

Note: *Detailed answers and deliberations on the abovementioned questions and written question submitted by the Member from Dophuchen-Tading Constituency and the Member from Drametse-Ngatshang Constituency to the Ministry of Economic Affairs, and written questions submitted by the Member from Radi-Sakteng Constituency and the Member from Kengkhar-Werringla Constituency to the Ministry of Finance are provided separately in the verbatim book published for reference.*

12. Resolution on the Third Reading of the Narcotic Drugs, Psychotropic Substances, and Substance Abuse (Amendment) Bill of Bhutan 2017 (Urgent Bill).

During the Third Reading of the Narcotic Drugs, Psychotropic Substances, and Substance Abuse (Amendment) Bill of Bhutan 2017 (Urgent Bill), the Member In-Charge of the Bill, the Chairperson of the Legislative Committee and the Member from Tashichhoeling Constituency, submitted that the National Assembly on 24th of October 2017 had unanimously agreed to amend the Bill since the substance called Tramadol containing in the drug SP+ was hazardous to the society and the country in general which had led to chaos by detention of number of youth. He also submitted that the Members felt that it was necessary to amend the Bill to uphold the authority of Parliament, following the Supreme Court's order on tramadol.

He further submitted that, as the Bill was referred to the Legislative Committee, the Committee had thoroughly reviewed and held consultative meetings with the relevant agencies and had submitted for the amendment of section 59 and incorporation of the substance named tramadol in the schedule. He urged the House to adopt the Bill as recommended by the Committee. The Committee recommendation is provided in **Annexure IV**.

During the deliberation, members submitted that, regarding the authority to amend the list of substances in the schedules by 'Board in consultation with Parliament', it was not clear on how to consult with Parliament as it consisted of three institutions. They also submitted that, if the authority was left to Parliament as in the past, Parliament assembled only twice a year and in between if a new drug was manufactured then it would be again abused and trafficked by public, and created problems in the country.

They submitted that, since Parliament did not have experts for examining the substances, it might face difficulties in amending the lists in the schedules and it would be appropriate if the authority was delegated to the Board as the Board could have experts and it would be convenient for implementation. Even in cases of new drugs, it could be made that the Board could amend the lists in consultation with the technical advisory committee and submit the report to Parliament and other relevant agencies regarding the same.

On this, few Members from the Cabinet, led by the Minister for Home and Cultural Affairs submitted that, the authority could be given to the Board for the drugs with new names containing substances already listed in the schedules and the authority should be left with Parliament for new drugs containing new substances. They added that, the Narcotic Drugs, Psychotropic Substances, and Substance Abuse Act had the grading starting from violation till a felony of first degree, and if a person was imprisoned for more than 15 years for a drug which was not being amended by the House, it would create chaos in future.

They submitted that, it was the duty of Parliament to make laws and it would not only prejudice the independence functioning but also go against the principles of democracy. They added that, the schedules were adopted as part of the Act for the Narcotic Drugs, Psychotropic Substances, and Substance Abuse Act, based on the problems faced with the schedules of the Tobacco Control Act and urged the Members to reconsider while giving the Parliament's authority to some other institution.

They further submitted that, the objects and principles of the schedules in the Narcotic Drugs, Psychotropic Substances, and Substance

Abuse Act was different from rest of the Acts and hence the authority to amend the schedules should be left with the Parliament as it was the duty of Parliament.

On this, some Members opined that, the tramadol could be listed in the schedule as it was the only urgent need at hand and the rest of the amendments including the section 59 could be done in the future after thorough review.

After a long deliberation, the Speaker presented three recommendations and urged the House to decide on either of them:

1. To retain the recommendation submitted by the Legislative Committee;
2. The Board to be given the full authority to amend the schedules; and,
3. The schedules to be amended by the Board upon the recommendation of the technical advisory committee.

The Speaker asked the Members to decide through show of hands. The House decided to endorse the third recommendation. The deliberation on the Third Reading of the Bill concluded as the Speaker reminded the House that the Bill would be adopted as per the due legislative procedure.

6th Day of the 10th Month of the Fire Female Bird Year corresponding to the 24th November 2017.

On 27th November 2017 corresponding to the 9th Day of the 10th Month of the Fire Female Bird Year, the motion to adopt the Narcotic Drugs, Psychotropic Substances, and Substance Abuse (Amendment) Bill 2017 was moved by the Member In-Charge of the Bill, the Chairperson of the Legislative Committee and the Member from

Tashichhoeling Constituency. Out of 42 Members, 38 voted ‘Yes’, 1 voted ‘No’ with 3 Abstaining, the Bill was adopted with majority votes. The voting result is provided in **Annexure V**.

In the dissenting opinion, the Member from Panbang Constituency submitted that, there was a clear separation of powers among the three branches of the government and it was not appropriate to give the legislative authority to other institutions as it was the main role of the Parliament. He submitted that, the schedules were adopted as part of the Act following the lessons learnt from the problems faced by the schedules of the Tobacco Control Act and since this law would also lead to misuse of power in the future, he could not support the Bill.

Then, the House urged the Ministry of Health to take lead role with relevant agencies, corporations, and experts for proper implementation of the Act and the deliberation on the adoption of the Narcotic Drugs, Psychotropic Substances, and Substance Abuse (Amendment) Bill 2017 concluded.

13. Resolution on the Third Reading of the Audit Bill of Bhutan 2017. (Private Member Bill).

During the Third Reading of the Audit Bill of Bhutan 2017, the Member In-Charge of the Bill, the Chairperson of the Legislative Committee and the Member from Tashichhoeling Constituency submitted that the main objective of the Bill was to streamline and align with the provisions of the Constitution of the Kingdom of Bhutan and make it expedient as per the resolutions of the International Organization of Supreme Audit Institutions (INTOSAI). He submitted that the Committee reviewed and adopted the 70 sections of amendment from the National Council and urged the House to support the Bill.

After thorough deliberation on every section of the Bill, the Members supported 62 sections of amendments recommended by the National Council of Bhutan, incorporated one new section and amended 37 sections as provided in the **Annexure VI**.

9th Day of the 10th Month of the Fire Female Bird Year corresponding to 27th November 2017.

On 29th November 2017 corresponding to the 11th Day of the 10th Month of the Fire Female Bird Year, the Member In-Charge of the Bill, the Chairperson of the Legislative Committee and the Member from Tashichhoeling constituency, moved the motion to adopt the Audit Bill of Bhutan 2017. Out of 43 Members, 41 voted 'Yes', 1 voted 'No' with 1 Abstaining, the Bill was adopted with majority of votes. The voting result is provided in **Annexure VII**.

In the dissenting opinion, the Member from South-Thimphu Constituency submitted that, he did not support the Bill because the some important provisions were not incorporated such as the House deleted sub-sections 1-23 under section 73 regarding the making of rules and regulations which would create problem in the future when the authority had to work on those issues.

14. Question Hour: Group D - Questions asked to the Ministry of Agriculture and Forest and Ministry of Health.

The Speaker commenced the Question Hour by informing the House that there were a total of 10 questions, 1 question for written responses and 9 questions for oral responses. He informed that the questions would be asked in sequence and supplementary questions would be allowed at the end if time permitted.

- 1) The Member from Chhumig-Ura Constituency in his question to the Minister for Health submitted that alcohol was a big threat

to the social harmony and progress, both for individual lives and Government exchequer. He asked the Minister to inform the House on annual expenses incurred by the Government to treat alcohol related diseases and major steps taken to reduce alcohol consumption, implementation status of alcohol reduction policy, and the status of alcohol consumption in the country.

- 2) The Speaker asked the Member from Nganglam Constituency and the Member from Nyishog-Saephu Constituency to ask the Minister for Agriculture and Forest regarding the auction of potatoes as question 2 (A) and 2 (B).

(A) The Member from the Nganglam Constituency in his question to the Minister for Agriculture and Forests submitted that the farmers had been transporting potato either to Phuentsholing or Samdrupjongkhar. However, recently it had come to notice that the farmers had to wait for weeks at the auction yards. He asked the Minister to inform the House on the problems pertaining to the auctioning of potatoes.

(B) The member from the Nyishog-Saephu constituency in his question to the Minister for Agriculture and Forests submitted that the long wait for the auctioning of potatoes and limited space to store the potatoes at Phuentsholing Potato auction yard was not only causing problem to the farmers and discouraging them, it was also undermining the agricultural development and export policy of the Government. He asked the Minister to share the measures of the Government on this issue.

- 3) Similarly, the Speaker asked the Member from Dramedtse-Ngatshang Constituency and the Member from North-Thimphu Constituency

to ask the questions to Minister for Health with regard to helicopter services as 3(A) and 3 (B) .

3 (A) The Member from Dramedtse-Ngatshang Constituency in his question to the Minister for Health submitted that, the purchase of helicopter was opposed considering its high costs. Despite this, the government purchased two helicopters worth Nu.480 million and an hourly usage charge was estimated to Nu.150,000. He submitted that although the helicopter services had benefitted some of the patients, the services were mostly availed by cabinet ministers and he further submitted that, one of the helicopters had to undergo repairing and could not be used for a week. On this, he asked the Minister to share information on the loss incurred when the helicopter was grounded.

3 (B) The Member from North-Thimphu Constituency in his question to the Minister for Health submitted that, when a patient was airlifted by the helicopter, the service was not provided to the patient attendant and asked the Minister on how to solve this issue.

4) The Member from Dophuchen-Tading Constituency in his question to the Minister for Health submitted that, during his visit to constituency, the people from at least 8 Chiwogs had concerns:

- Whether the Government was aware of the depreciation of cost of cardamom in the last three years.
- Whether the Ministry of Economic Affairs on behalf of the Government could take measures to export the cardamom to India and Bangladesh, so that the people could get their desired prices since cardamom has benefitted in decreasing rural poverty in the southern parts of the country.

- 5) The Member from Wamrong Constituency in his question to the Minister for Health thanked the Ministry for providing two additional doctors at Reserboo Hospital which helped patients getting better health services. He submitted that, despite of the help, Reserboo Hospital was in dire need of ultrasound machine for the people of lower Tashigang and nearby Gewogs of Pemagatshel as they had to travel either to Deothang or to Tashigang for ultrasound checkup. He asked the Minister, if the ministry could provide the Hospital with ultrasound machine and a technician at the earliest.
- 6) The Member from Nubi-Tangsibji Constituency questioned the Minister for Agriculture and Forests on the government maintenance procedure for the power tillers in the gewogs.
- 7) The Member from Kengkhar-Weringla Constituency questioned the Minister for Health on when the CT scan machine would be installed in Regional Referral Hospitals of Mongar, Gelephu, and Jigme Dorji Wangchuck National Referral Hospital in Thimphu.
- 8) The Member from Panbang Constituency in his question to the Minister for Agriculture and Forests submitted that the farm shops were initiated with the core objective of buying and marketing local agricultural and livestock products, and distributing of agricultural tools to the farmers. However, it was found that these shops were largely engaged in grocery business. He asked the Minister to explain to the House on the failure to deliver its intended objectives.
- 9) The Member from Bji-Kar-Tshog-Uesu Constituency in his question to the Minister for Agriculture and Forests submitted that the Dzongkhag Thromde, Yenlag Throm, and those within the radius of 2 kms were not entitled for tax exemption on timber and asked the

Minister if there were any plan for revising the rules or any other strategy.

10th Day of the 10th Month of the Fire Female Bird Year corresponding to the 28th November 2017.

***Note:** Detailed answers and deliberations on the above mentioned questions and the written question asked to the Minister for Agriculture and Forests by the Member from Nganglam Constituency are provided separately in the verbatim book published for reference.*

15. Resolution on the Third Reading of the Tourism Levy Exemption Bill of Bhutan 2017 (Money Bill)

The member of the Finance Committee, the Member from Khamdang-Ramjar Constituency, moved the motion for Third Reading of the Tourism Levy Exemption Bill of Bhutan 2017. Moving the motion, he submitted that as per the instructions of the House, the Committee consulted relevant ministries, agencies, and corporations and came up with two recommendations. Since the Bill did not have an implementation date, the Committee in line with the Section 46(B) of the Public Finance (Amendment) Act of Bhutan 2012, recommended that the Bill be implemented from the day it was introduced by the Finance Minister in the National Assembly and in Section 4 of the Bill, the levy exemption was recommended to extend from 2020 to 2022. He urged the House to support the above two Committees recommendations.

During the deliberation, the Members from the Opposition Party submitted that although the levy exemption for the six Eastern Dzongkhags was good for the promotion of tourism, it would be appropriate if the exemption was also extended to nine other Dzongkhags in the central, southern, and northern parts of the country where the tourism was not developed. The proposal was submitted in

line with the constitutional provision which required plans, policies, and legislations to be drafted for balanced regional development.

They submitted that, the levy which had been collected so far through a policy instrument was being now exempted through legislation and it was not legal due to which the Bill title required to be changed to Tourism Levy Bill of Bhutan 2017. Furthermore, since the Government was benefitting with 65 USD, the exemption Bill should be repealed and a better legislation formulated to promote tourism. They submitted that the tremendous tourism growth that we witnessed so far was mainly attributed to the policy of high value low impact and pointed out that this exemption Bill was against the noble policy.

They further submitted that the levy exemption had no direct benefit to the people of the six eastern Dzongkhags and would also affect the revenue of the country. Moreover, if the exemption was granted, it would be challenging for future Governments to re-introduce the levy. One Member proposed that from the 65 USD collected from a visiting tourist, 30 percent could be used for tourism promotion in the east which would benefit the people. The member from Panbang constituency submitted that instead of this, the focus should be to open Yonphula airport, complete road widening works, construction of hotels in eastern regions through foreign investments, develop tourism sites and local products for tourists.

On this, few ruling Members led by the Minister for Finance opined that the Bill had been drafted with the constitutional intent of equal regional development and to develop tourism as per the tourism policy to improve the economy of the country and for equal distribution of benefits through tourism. They submitted that the levy exemption for the six eastern Dzongkhags would be a trial and if found successful,

it could be applied to other Dzongkhags as well where tourism was yet to develop. He submitted that the eight points presented by the Member from Panbang Constituency was already in place. There was a very long deliberation on the issue.

While deliberating on the sections of the Bill, the new section incorporated by the Finance Committee stating “the Bill shall be implemented on the day the Bill was introduced in the National Assembly by the Finance Minister”, was adopted as per **Annexure VIII**.

On the Finance Committee’s recommendation to extend the exemption from 2020 to 2022 and the reasoning that the implementation of tourism facility would take time, the Minister for Finance submitted that the deadline was set consistent to the Fiscal Incentives and moreover, as the exemption was just a trial, he insisted that the levy should be till 2020 and if it was effective, it could be extended in future. The House accordingly adopted as proposed in the draft.

A member submitted that since it was a Bill, the provisions on Roles and Responsibilities, Offences and Penalties, Access to Information, and Force Majeure should be deleted from the Bill. On this, as per the House’s direction to the Finance Minister and the Members of the Finance Committee to discuss during the lunch break and report, they reported that the levy exemption was the first of its kind and since there was no law or rules related to the Bill, they urged to retain the provisions in the Bill. The House supported to retain section 8-13 of the Bill as per the draft and with the reminder from the Speaker to adopt the Bill as per the due legislative procedure, the deliberation on the third reading was concluded.

11th Day of the 10th Month of the Fire Female Bird Year corresponding to the 29th November 2017.

On 30th November 2017 corresponding to the 12th Day of the 10th Month of the Fire Female Bird Year, the Member In-Charge of the Bill, the Minister for Finance, moved the motion to adopt the Tourism Levy Exemption Bill of Bhutan 2017. Out of 40 Members, 37 voted 'Yes', 2 voted 'No', with 1 abstaining. The Tourism Levy Exemption Bill of Bhutan 2017 was adopted with the vote of simple majority support. The voting result is provided in **Annexure IX**.

In the dissenting opinion, the Member from Nubi-Tangsibji Constituency submitted that although he was in support of developing tourism in the eastern region, he could not support the Bill since the levy was in contravention to the constitutional provision of balanced regional development and also as it was not in line with the tourism policy of 'high value low impact'. He added that, it would have been appropriate if the Government granted the exemptions earlier and not towards the end of its tenure and the complete exemption of levy by the Government would create challenges to the future Governments to re-introduce the levy.

16. Question Hour: Group A - Questions asked to the Prime Minister, Ministry of Information and Communications, and Ministry of Home and Cultural Affairs.

The Speaker commenced the Question Hour by informing the House that there were a total of eight questions- seven questions for oral responses and one question for written responses.

The Speaker informed that the questions from the Member from Panbang Constituency and the Member from Dophuchen-Tading Constituency to the Prime Minister were dismissed, as per the Section 101(C)1 of the Rules of Procedure (Amendment) of the National Assembly of Bhutan 2014 and started with the question hour.

- 1) The Member from Nanong-Shumar Constituency in his question to the Prime Minister submitted that, the suicide rate in the country was alarmingly high and was one of the highest in the world, which was a sharp contrast to the name and image as GNH country and needed to take concrete measures to urgently address the problem. He asked the Prime Minister to update the House on the policies, strategies, and plan of actions being pursued or proposed to address this national issue.
- 2) The Member from North-Thimphu Constituency in his question to the Minister for Information and Communications submitted that, in general the current 2G service was beneficial to the public. However, the service was not available in most of the high lands. He asked the Minister on the measures to upgrade 2G services to 3G or 4G in the highlands.
- 3) The Member from Dokar-Sharpa Constituency in her question to the Minister for Home and Cultural Affairs submitted that, although the Government supported the film industry in many ways, one of the issues that continued to impede the film industry was limited access to loan for film production. She asked the Minister to share if there was a way to address this issue and interventions taken by Government towards the growth of film industry.
- 4) The Member from Dramedtse-Ngatshang Constituency said that although domestic air services were necessary, he asked the Minister for Information and Communications to provide justification and rational for giving a subsidy of Nu.300,000 per flight to Yonphula to Druk Air.
- 5) The Member from Nganglam Constituency in his question to the Minister for Home and Cultural Affairs submitted that recently few incidences of excessive use of force and manhandling of detainees

by the law enforcement personnel were reported and while the cases were few, it was a matter of serious concerns as the victims found difficulty in filing cases before the court to seek redressal. He asked the Minister whether any measures were being taken to address such issue.

6) The Member from Bomdeling-Jamkhar Constituency in his question to the Minister for Information and Communications submitted that the Government had been spending Nu.13 million annually to avail online services from an international company despite having many local competent companies to provide the services. He asked the Minister to inform the House on how this international service provider was selected particularly in terms of cost implication, sustainability, and security of the Government information.

7) The Member for Kengkhar-Weringla Constituency in his question to the Minister for Information and Communications submitted that the BBS channel 1 and 2 were restricted from being broadcasted through DTH TV services despite its wide coverage and popularity among the rural people. He asked the Minister to provide clarification on this.

13th Day of the 10th Month of the Fire Female Bird Year corresponding to the 1st December 2017.

***Note:** Detailed answers and deliberations on the above mentioned questions and the written questions asked to the Minister for Home and Cultural Affairs by the Members from Panbang Constituency and Dramedtse-Ngatshang Constituency are provided separately in the verbatim book published for reference.*

17. Resolution of the re-deliberation on the Anti-Money Laundering and Countering of Financing of Terrorism Bill of Bhutan 2017.

The Member In-Charge of the Bill, the Minister for Finance, in his motion for the re-deliberation of the Anti-Money Laundering and

Countering of Financing of Terrorism Bill of Bhutan 2017, submitted that the National Assembly after thorough deliberation in its 9th Session of the Second Parliament referred the Bill to the National Council and the National Council referred back with its recommendations for some changes on few sections to the National Assembly for re-deliberation. He submitted that only few changes were made to the Preamble, Objectives, and Definitions and that there were no major amendments or changes. Proposed slight amendments were found very important and therefore, he urged the House to re-deliberate and support the Bill.

On this, although the Rules of Procedure required re-deliberation on every section, the Minister for Finance and few other Members proposed to re-deliberate only on those changes proposed. The House through show of hands decided to deliberate only on the amendments.

The House after deliberating the amendments, adopted all sections referred for re-deliberation after which the deliberation was concluded.

12th Day of the 11th Month of the Fire Female Bird Year corresponding to the 30th November 2017.

On 1st December 2017 corresponding to the 13th Day of the 11th Month of the Fire Female Bird Year, the Member In-Charge of the Bill, the Minister for Finance, moved the motion to adopt the Anti-Money Laundering and Countering of Financing of Terrorism Bill of Bhutan 2017. All 39 Members present supported and passed the Bill. The voting result is provided in **Annexure X**.

18. Resolution of the re-deliberation on the Narcotic Drugs, Psychotropic Substances, and Substance Abuse (Amendment) Bill of Bhutan 2017 (Urgent Bill)

In the motion to re-deliberate the Narcotic Drugs, Psychotropic Substances, and Substance Abuse (Amendment) Bill of Bhutan 2017,

the Member In-Charge of the Bill, the Member from Tashichhoeling Constituency, submitted that although the Bhutan Narcotics Control Authority proposed amendments for 15 sections, the Committee could not accept all the provisions since the Bill was declared as Urgent Bill and the sections did not fulfill the criteria for Urgent Bill. Hence, during the Third Reading of the Bill held on 24/11/2017, the House adopted only Section 59 and changes to be made in the schedules.

However, during its deliberation in the National Council, it had accepted all 15 Sections for amendments submitted by the authority and had also incorporated few additional new sections and referred back to the National Assembly for re-deliberation. He submitted that the amendments would have no impact on the Bill but would only add to its value and hence urged the House for support.

Subsequently, the House deliberated thoroughly on the 18 sections submitted by the National Council and adopted as per **Annexure XI. 16th Day of the 10th Month of the Fire Female Bird Year corresponding to the 4th December 2017.**

On 5th December 2017 corresponding to the 17th Day of the 10th Month of the Fire Female Bird Year, the Member In-Charge, the Member from Tashichhoeling Constituency, moved the motion to adopt the Narcotic Drugs, Psychotropic Substances, and Substance Abuse (Amendment) Bill of Bhutan 2017. Out of 42 Members, 40 voted ‘Yes’, 1 voted ‘No’, with 1 Abstaining adopted the Bill with simple majority support of vote. The voting result is provided in **Annexure XII.**

In the dissenting opinion, the Member from Chhumig-Ura Constituency submitted that he had concerns on how this amended law would be able to fulfill the purpose of ensuring peace and

harmony in the country. He added that he could not support the Bill as this would lead to detention of more youth instead of helping them fulfilling their wishes and getting education.

Subsequently, the Speaker reminded that it was important for the people to understand that the Narcotic Drugs, Psychotropic Substances, and Substance Abuse Act of Bhutan passed in 2015 did not detain a person directly but had procedures in place and the law was not very stringent. The Speaker acknowledged the relevant ministry and experts for carrying out commendable job and submitting the Bill for amendment and all members of the National Assembly, National Council, and the Committee for working hard in successfully passing the Bill.

19. Re-deliberation on the Tourism Levy Exemption Bill of Bhutan 2017 (Money Bill)

The Member In-Charge of the Bill, the Minister for Finance, moved the motion for the re-deliberation of the Tourism Levy Exemption Bill of Bhutan 2017. It was submitted that the National Assembly had carried out extensive deliberation on 29th November, 2017 and then forwarded to the National Council in accordance with the Section 5, Article 13 of the Constitution of Bhutan. Accordingly, the National Council after its fruitful deliberation had submitted the bill for re-deliberation with six points objections on the bill. Therefore, the Member In-Charge made a submission that since those six points were submitted as objections, it was perceived inappropriate to carry out further deliberations.

It was reported that the initiative would be carried out on pilot basis for three years and if successful, such initiative could be rolled out in the rest of the Dzongkhags. As such, the exemption would not

affect the tourism policy of “High Value and Low Impact” but instead benefit the nation by boosting opportunity for tourism in the six eastern Dzongkhags in particular.

Submission was made that the bill had been deliberated at length by the National Assembly and adopted as money bill and therefore, reiterated to retain the bill as adopted earlier.

Moreover, some of the Members expressed that besides the exemption of levy, the exemption would also bring changes in the policies, and thus, it was imperative to carry out research before amending the policies. It was also reported that since such move could be perceived as creating favoritism among the regions in the nation, it could be implemented by policies rather than passing it as an Act and it was questioned if such initiative could be implemented on pilot basis in the first place. It was submitted that since the House of review had submitted objections rather than recommendations, it was important for the government to take the opportunity and therefore, consider the possibility of repealing the tourism levy exemption policy. It was also reported that the exemption had been initiated by the government and not recommended by the Tourism Council of Bhutan.

Moreover, it was pointed out that beside the exemption of levy in the eastern Dzongkhags, it was crucial to consider other measures such as initiating full operation of Yonphula Airport and early completion of East-West widening works to promote and ensure increase of tourists in the region. Another submission was also made that such exercise could be perceived as dividing the normal tourists to visit in the east by exempting the levy, and sending privileged tourists in the west and central regions. Hence, it was suggested that the matter was found crucial for deliberation.

On that, some of the Cabinet Members clarified that the recommendation for the exemption on levy was submitted by the Tourism Council of Bhutan to the Government. Accordingly, the Government reported that the three years pilot exemption had been initiated with an objective to allow tourists to discover more about the eastern regions within a period of three years. Additionally, it was found that there would not be any impacts on existing noble policy of “High Value and Low Impact” as the exemption would benefit the nation and not limit to six Dzongkhags only. It was also reaffirmed that the exemption would create employment opportunities for youth.

Regarding the concerns submitted on the possibilities of arrival of huge number of foreign tourists in the country following the exemption of levy, clarification was made that there was only one international airport for entry of tourists and no other routes to enter the country.

Following the thorough deliberation on the bill, the House reported that the bill had been earlier adopted by the National Assembly having secured 37 votes out of 40 Members voting in support of the bill. Likewise, while ascertaining similar support on the bill, majority of the Members expressed their support in adopting the bill through the show of hands, and therefore, adopted the Tourism Levy Exemption Bill of Bhutan 2017 (Money Bill).

16th Day of the 10th Month of the Fire Female Bird Year corresponding to 4th December, 2017.

20. Re-deliberation on the Information, Communication and Media Bill of Bhutan 2017

The Member In-Charge of the Bill, the Minister for Information and Communications, reported that the Information, Communication and Media Bill of Bhutan 2017 had been deliberated and adopted

during the 8th and 9th Sessions, after which the bill was forwarded to the National Council. Accordingly, the National Council in its 20th Session carried out extensive deliberation and amended 155 sections and forwarded the bill for re-deliberation. Since majority of the amendments were carried out on rephrasing the words and did not affect the actual meaning of the sections, the officials from the Ministry also submitted views that such amendments would have more benefits than harm. Therefore, the Member In-Charge reaffirmed the House to re-deliberate as per the legislative rules of procedure and thus consider the Bill for adoption by the House.

The Chairperson of the Legislative Committee, the Member from Tashichhoeling constituency, expressed that those amendments submitted by the National Council were found positive and there was no need to deliberate on each Section. However, the House carried out two days of extensive deliberation and adopted the recommendations submitted by the National Council, which was provided in **Annexure XIII**. The House also directed that minor corrections in the bill would be rectified by the secretariat staff and therefore, concluded the re-deliberation of the bill.

12th Day of the 10th Month of the Fire Female Bird Year corresponding to 1st December, 2017.

On 17th Day of the 10th Month of the Fire Female Bird Year corresponding to 5th December, 2017, the Member In-Charge of the Bill, the Minister for Information and Communication represented by the Minister for Economic Affairs, moved the motion to adopt the Information, Communication and Media Bill of Bhutan 2017 as per the legislative rules of procedure. Accordingly, the bill was adopted through the support of simple majority votes, out of 44 Members present and voting. The voting list is provided in **Annexure XIV**.

21. Report of Public Accounts Committee

21.1 Resolution on Financial Audit report of PAC

With the approval of the Speaker, the Secretary General read out the Royal Kasho of His Majesty the King to convene the Joint Sitting of the House. Thereafter, the Speaker declared the two Performance Audit Reports viz: Performance Audit on Delivery of OPD Services at JDWNRH and Performance Audit on Provision of Drinking water in Thimphu Municipality (both English and Dzongkha) as public documents which were presented to the Parliament by the Royal Audit Authority (RAA) as per Article 25.1 of the Constitution of the Kingdom of Bhutan.

Following the declaration, the Chairperson of the Public Accounts Committee, the National Council member from Wanduephodrang Dzongkhag, presented the joint report which was divided into Part One and Two as follows;

In Part One:

- 1) Synthesized Annual Audit Report (AAR) 2016;
- 2) Review Report of Annual Audit Report 2015;
- 3) Implementation status of 8th Session Resolutions (AAR 2009-2014);
- 4) Status of the cases with Anti-Corruption Commission (ACC) and instances of missing/death cases of officials and contractors and inactions even after court verdict; and
- 5) PAC's Observations and Recommendations including four different Chapters and

In Part Two:

- 1) Six Performance Audit Reports (PARs);
- 2) Implementation status of 9th Session Resolutions (Performance Audit Reports); and

3) PAC's Observations and Recommendations including 7 different chapters were presented in detail.

While deliberating on the report particularly on Part One - Synthesized Annual Audit Report (AAR) 2016, members sought clarifications on whether the fiscal deficit shown in the annual financial statements resulted from domestic revenues or from foreign grants. Further, members also questioned on the underutilization of capital budget and reasons for the Ministry of Works and Human Settlement (MoWHS) and the Ministry of Labour and Human Resources (MoLHR) having the highest irregularities in three categories of irregularities.

In the clarifications provided by relevant ministers, the fiscal deficit resulted from high budget estimation and from paying less to the contractors and was not from the domestic revenue. The Minister also informed the House that the underutilization of capital budget occurred as a result of loans not being received in time. He reported that the Ministry of Finance (MoF) and GNHC were in discussions to hereafter allocate 60% of budget to the central government and 40% to the Local Government.

Similarly, the reasons for MoWHS having the highest irregularity were because most of the projects were procurement related works and starting 2014, the Department of Roads alone had works over Nu.10 billion. Some of the irregularities incurred were from non-insurance of works and advance payments made to the contractors. The Minister also stated that some minor mistakes were expected while handling major projects but the Ministry did not have any irregularity due to fraud, corruption and embezzlement for which it should be appreciated.

Some Members stated that in addition to RAA's recommendation on the need of proper communication between relevant agencies prior to changing of policy to ensure efficient implementation of basic amenities, management of basic infrastructures in the primary schools, classrooms and BHUs in rural areas should be inspected and also to resolve the problems posed by Thram Holders in various areas, the ownership of land should be made clear. Further, in order to avoid misuse of revenue it was recommended that there was a need to formulate a guideline by the government.

To this, the Minister on behalf of the Government informed the House that inspection and registration of infrastructures in the classrooms of primary schools and basic medical facilities left without proper management in the Dzongkhags and Gewogs had been started. Moreover, since the authority related to revenue collection and use of revenue were already specified in the relevant laws, the House recommended that there was no need to formulate separate guidelines regarding the misuse of revenues.

The House, after deliberating at length on the recommendations 3 and 4, endorsed the recommendations submitted Committee through majority vote by show of hands. **(Recommendations have been attached at the end)**

Chapter 2: With respect to review report of Annual Audit Report 2015, some Members enquired on the committee's recommendation to resolve the irregularities within 30th September, 2018. To this, the committee clarified that the Parliament's resolution in the 8th session mandated the agencies to resolve all irregularities within 30th March, 2017 and in case of failure the heads of agencies to be held accountable would suffice and hence there was no need to come up with a separate recommendation.

Some Members also raised that amongst the budgetary agencies, ministries were able to resolve only Nu. 0.53 million. About 99% of irregularities were not resolved. To this, the Government requested the House to appreciate and take pride for being able to resolve 0.53 million irregularities within 6 months i.e., from March 2017 to 30th September, 2017. The government also informed the House that most of the unresolved irregularities were either with the Anti-Corruption Commission (ACC) or with the Office of Attorney General (OAG) or with the Royal Bhutan Police (RBP) and these agencies were in the process of resolving the issues in accordance with relevant laws.

Chapter 3: On the implementation status report of the resolution of 8th session, some Members raised that it was imperative for the House to come up with a separate recommendation on non-implementation of 8th Session resolutions by the agencies. To this, the committee clarified that resolutions passed in the 8th Session would suffice this query and moreover most of the recommendations were implemented by the agencies. However, it could not be incorporated in the report as the implementation status report from the agencies were received by the committee only after printing the final committee report.

Chapter 4: Some Members raised that committee's recommendation required little modification while some others expressed that the recommendations needed to be divided into two parts; i.e., with respect to cases of non-compliance to the court's verdict, full responsibility to be given to the OAG and with regard to the cases of officials and contractors missing or death, responsibility to be given to the RAA. To this, the committee clarified that RAA had fully carried out their responsibility as per its procedures and the main reason for inserting this issue as separate chapter in the report was not to impose responsibility on the RAA and the OAG but to

request the government to institute a task force to review and update the House in the next session. The House, after prolong deliberation, endorsed the committee's recommendation through majority show of hands. With these discussions, Part one - report on Financial Audit ended.

17th Day of the 10th Month of the Female Fire Bird Year corresponding to 5th December 2017.

21.2 Part Two: Resolutions of Performance Audit Reports

While deliberating on Part Two of the PAC's report particularly on **Chapter 1- Performance Audit Report on Business Opportunity and Information Centre(BOiC)**, some Members raised their concern on huge difference between the updated report on loans provided to BOiC projects through Revolving Fund (RF) I and II and the review report of RAA and also on the percentage of non-performing loans which was around 27%. Further, some Members also stated that in addition to unrealistic objectives of the projects, even the procedures for availing loans and services provided were not clear.

Some Members also expressed that an amount of Nu.720 million went in vain due to high remunerations paid to the head and employees of the BOiC. Further, they also observed that majority of the Board Members of BOiC were high level government officials except for one and despite that remunerations paid were not in accordance with existing laws which had set a bad precedent. Moreover, some Members expressed that the RF-I was later merged with Bhutan Development Bank Ltd (BDBL) instead of establishing as a new entity, the problems related to non-performing loans would have been avoided and therefore requested the House to deliberate further on the matter so that a recommendation could be made to fix accountability for the error.

The Members also raised the concern if the government had hands in disbursing loans and therefore requested the government to leave the responsibility of disbursing loans to BDBL and other financial institutions. The Members further raised that the authority to formulate policies and to increase or decrease the interest rates lied with the government and it would be appropriate if government functioned accordingly. The Members also submitted the need to discuss on the principles of establishing BOiC. The BOiC being an illegal entity was closed down. Therefore, considering the past experience and to benefit the new entity, i.e., Rural Enterprise Development Corporation Ltd (REDCL), it was important to discuss on one recommendation submitted by the committee.

In addition, whether it was BOiC or REDCL, there was no proper mechanism to monitor the loans disbursed after long and complex procedures. Because of this, non-performing loans were increasing and it created inconvenience to the innocent citizens when the case was registered in the court.

While clarifying to this issue, the government informed that the main objective for establishing the BOiC was to enhance the livelihood of economically disadvantaged people and to improve the economy of country. The government submitted that despite this good objective, the National Council and the Opposition Party had been raising questions repeatedly and as a result, the BOiC had to be closed down. However, it had to be reopened as REDCL for the benefit of citizens. Moreover, as compared to the other financial institutions and to make the lives of people comfortable, loan procedures had been simplified and so far around 3,000 applicants had been approved.

The government also clarified that long durations were taken while availing loans from the BOiC because applicants and their projects had to be examined properly and that the procedures were not at all complex or confusing. The current rate of non-performing loans at 27% was mainly on account of loans disbursed without proper examination of applicants and their projects feasibilities. However, it was informed that the non-performing loan rate had reduced to 18%.

Therefore, in order to avoid such problems in future, the procedures for disbursing loans had been streamlined and REDCL had appointed one official in each Dzongkhag. Further, the government submitted that it would be beneficial if the House could keep the mistakes aside and instead support the initiatives of the government.

Chapter 2: Performance Audit Report on Employment Generation and Promotion Initiatives

While debating on non-implementation of 5 recommendations out of 9 recommendations made by the RAA, some Members expressed that although there were many job opportunities in the agriculture sector but as per the RAA's report, the MoLHR had not done the impact assessment and therefore it was necessary to give recommendation on this issue. With regard to the differences between the RAA's report and Hon'ble Prime Minister's report, a relevant ministry on behalf of the government submitted that employment creation was a difficult task and that the government was doing its best and had planned many programs to generate job opportunities in the agriculture sector. It was informed that with respect to impact assessment, the concern ministry had conducted agency inspection, maintained consultation booklets and conducted Labour Force Survey. Further, the ministry also informed the House that in order to create job opportunities, the RMA had recently launched priority sector lending guideline.

On the committee's recommendations, some Members expressed that such recommendation would lead to loss of trust and appreciation in those people working in the Ministry and therefore recommended for the word 'conflict of interest' to be deleted from the recommendation. Further, some Members recommended that Labour Force Survey should be conducted by the National Statistical Bureau (NSB) and not by the MoLHR. The House, after prolong deliberation, decided that Labour Force Survey to be conducted by the NSB and not by the MoLHR.

Chapter 3: Performance Audit Report on FCBL

With respect to non-implementation of 5 recommendations out of 9 recommendations made by the RAA, some Members recommended that for recommendations 1 and 2, there was a need to harmonize relevant laws and policies and also to properly segregate the roles and responsibilities of corporation into two parts and not mix them. To this, the Finance Minister informed that the ministry was in the process of implementing the recommendations fully and as recommended by the last session on the imposition of direct and supervisory accountability, the RAA had been continuously working to resolve the irregularities and therefore, an additional recommendation was not necessary.

Chapter 4: Performance Audit Report on Provision of Patient meals

With respect to non-implementation of 3 recommendations out of 10 recommendations made by the RAA, one Member raised the concern of providing enough responsibilities to the Dieticians after they were appointed. On behalf of the government, the relevant Minister clarified that the ministry was in the process of taking up many

initiatives to resolve the issue. Further, the Minister also informed that the Guidelines for Inpatient Food Services of Bhutan 2013 will be soon implemented and with that all irregularities would be resolved. Moreover, in 10 Dzongkhags, Dieticians had been already appointed and for the remaining 10 Dzongkhags, the Ministry was in the process of consultation with the Royal Civil Service Commission (RCSC) and this would help to resolve the issues at the earliest.

Chapter 5: Performance Audit Report on School Feeding Programme

On the non-implementation of 7 recommendations out of 13 recommendations made by the RAA, some Members recommended that the government formulate programs to provide meals to day-scholars (students) and also to appoint a person to monitor whether the meals provided in the schools contained adequate nutrients or not. On behalf of the government, the relevant Minister submitted that ministry was in the process of formulating plans and programs to provide nutrient contained meals to students and moreover the Terms of Reference of the wardens/matrons appointed in the schools clearly mandated them to monitor and therefore, there was no need to adopt separate recommendation.

Chapter 6: Performance Audit Report on Tourism sector.

With respect to the non-implementation of 7 recommendations out of 13 recommendations made by the RAA, some Members raised that the challenges faced by the tourism industry was mainly due to lack of specific laws and policies. Further, some Members also recommended inserting additional words ‘tax limit’ in the recommendation made by the committee and also reminded that it was important for the policy makers to take note of encouraging the local tourists while

formulating the policies. The government informed the House that tourism rules and regulations had been formulated by the Tourism Council of Bhutan and in addition to that the government was in the process of drafting a tourism policy. Moreover, the words ‘laws and policy’ in the committee’s recommendation would suffice the above recommendations and therefore it was not necessary to insert the phrase ‘tax limit’ separately in the recommendation. Further, they also recommended that it would be convenient if the House could delete the phrase ‘legal teeth’ from the committee’s report.

Chapter 7: Implementation status of 9th session resolution

On the implementation status of the 9th Session resolutions, the House without deliberating endorsed the committee’s recommendations through majority show of hands and moreover in addition to the committee’s recommendation, the House made additional 7 recommendations. Further, by amending the committee’s recommendations on Employment Generation and Promotion Initiatives and Tourism sector, the House endorsed a total of 12 recommendations as follow:

1. The PAC endorsed the four general recommendations made by RAA and encouraged all agencies (budgetary as well as non-budgetary agencies) to implement those recommendations.
2. Revenue collected from the public especially at the local government level needed to be deposited in the official account on time to minimize misuse of fund.
3. Ministry of Finance should immediately complete the desk assessment of the pending PIT and to institute measures to complete the assessment on time.
4. Bhutan Development Bank limited should expedite to resolve the defaulted loan litigation cases from year 1991 to 2015.

5. The Government in consultation with OAG should institute a Task Force or a committee to look into ‘instances of missing/death cases of officials and contractors and inactions even after court verdict’ and update the Parliament in the next session
6. REDCL should immediately implement efficient monitoring in coordination with relevant stakeholders and to institute measures to strictly comply on recovery of funds given by BOiC and its succeeding entity (REDCL).
7. Turnaround time for availing loans should be developed by the REDCL at the earliest.
8. The Labour Force Survey should be carried out by the National Statistical Bureau and not by the Ministry of Labour and Human Resources.
9. The draft proposal submitted to MoAF on adequate funds for National Food Security Reserve (NFRS) and SAARC Food Security Reserve should be reviewed at the earliest and approved.
10. Vigorous implementation of Guidelines for Inpatient Food Services for Bhutan 2013 should be carried out with placement of adequate dieticians in the hospitals by the Health Ministry.
11. The Ministry of Education needed to develop standard School Food Menu using the Bhutan Dietary Guidelines for School Children 2015 developed by the Ministry of Health.
12. Tourism Council of Bhutan should expedite formulation comprehensive tourism policy and legislation to give adequate legal basis and to ensure effective implementation of plans and programmes.

As per the Rules of Procedure of PAC while confirming the support to the committee’s recommendations, out of 62 Members present and voting, 59 voted ‘yes’, 1 voted ‘No’ and 2 abstained, passed the recommendations by securing three fourth majority vote. Thereafter,

the Speaker thanked the agencies, committee Members and in particular the chairperson of PAC and ended the deliberations on PAC report. The voting result is provided separately in **Annexure XVI**.

18th Day of the 10th Month of Female Fire Bird Year corresponding to 6th December 2017.

In the dissenting opinion, the Member from Nubji-Tangsibji Constituency submitted that while looking at the unresolved irregularities from 2014, there was some irregularities of Nu.180 million in 2014, Nu. 461 million in 2015 and Nu. 385 million in 2016, although it was very low when converted into percentage but it was important to refrain from wasting public money that was received as grants and donor support for the country. Moreover, he submitted that if the government did not resolve the irregularities despite resolutions passed by the Parliament then there was no use of deliberating on the report. He also recommended that in future minimum three days should be allotted for deliberation of the PAC report

22. Ratification of the Resolution

During the ratification of the Resolutions, the Deputy Speaker presiding the session asked the House if the resolutions should be read out in details as the draft were already e-mailed to the Members by the Secretariat. He asked if the comments could be provide to the secretariat directly or raise comments in the meeting. To this, most Members agreed to call off the reading of the draft Resolution page by page.

However, the Member from Panbang Constituency submitted that it was very important to preserve the system in amending the draft

Resolution of National Assembly that was prevalent in the Assembly till date. Although, the draft resolutions were shared through email, due to the ongoing business of the House, many members would not have got the opportunity to read the draft resolution. Therefore, he recommended that the draft resolution be read out page by page as was done in the past. To this, the Member from Khar-Yurung constituency supported the recommendation made by the member from Panbang Constituency. Thus, the Secretary General proceeded with the reading of the draft resolutions for ratification by the House.

During the ratification of the resolutions, the Member from Panbang Constituency submitted that the clarification made by the Speaker on the dissenting opinion raised by the member from Chhumei-Ura Constituency under Section 18 of the Narcotic Drugs, Psychotropic Substance Abuse(Amendment) Bill of Bhutan 2017 could be deleted. The Member from Khar-Yurung constituency submitted that the remark made by the Speaker would be recorded in the verbatim recordings and therefore needed to be removed from the resolution.

However, the members from Nyesho-Sephu and Dujeygang-Tseza Constituencies said that till date the dissenting opinions made by the Members were in line with the procedures which did not require the Speaker to make any remark. However, if the dissenting opinions made by a member required clarification then it was imperative that the remark so made by the Speaker clarifying the dissenting opinion was required to be documented to avoid any misunderstanding and misinformation to the public. Therefore, in this case, the members felt that the Speaker's remark could be retained in the resolutions.

To this, the Opposition Leader expressed that although he felt it was unnecessary to retain the comment, he submitted that the comment

could be retained or removed in accordance with past practice and procedures.

The Speaker informed the House that it was the responsibility of the Speaker to rightly inform the public and make brief clarifications either during the deliberations or after a dissenting opinion. The Speaker said that it would be right not to impinge and set limits on the rights of the Speaker and decided to retain the Speaker's clarification in the resolutions.

19th Day of the 10th Month of the Fire Female Bird year coinciding on 7th December 2017.

23. Closing Ceremony

23.1 His Majesty the Druk Gyalpo's Address at the Closing of the 10th Session of the Second Parliament

His Majesty the Druk Gyalpo said that His Majesty was happy to be a part of this important occasion— the closing of the Tenth Session of the Second Parliament. His Majesty was particularly happy to be able to address such an august gathering. The duties and functions of parliament were sacred, and of immense significance and importance.

His Majesty said that parliamentary discussions, conducted by our esteemed members of parliament, cover numerous and diverse issues in the interests of the nation and the people. The discussions and debate were not meant to settle individual or political differences. They go far beyond personal intentions, benefits, and motives.

His Majesty said that in the process of debate on issues of grave national importance, it was inevitable that there would be differences of views, disagreements, and heated exchanges. But it was through such discourse - sharing of ideas and knowledge - that collective wisdom would emerge to serve the interests of the nation and the people.

His Majesty said that the Parliament had the important function to ensure adequate checks and balances. In shouldering this responsibility, the members of parliament had worked diligently to ensure that oversights were corrected and challenges addressed in a timely manner through parliamentary process.

His Majesty said that the Parliament was also the institution that was responsible for the important task of balancing present needs and future goals. In the present context, we must serve to the best of our abilities. For the future, the Parliament must ensure that we frame the best goals, policies, and plans.

His Majesty reminded that as we navigate an ever complex and changing world, the path ahead was neither clear nor easy. As we reach the cross-roads in the process of nation building, our Parliament had played an important role in steering our nation on a path that fulfilled our collective aspirations of attaining national self-reliance, peace, happiness and prosperity for our people.

His Majesty said that the mandate and responsibilities of the Parliament were grave. Noble thoughts and good intent were not enough. We require intelligence and skill to fulfill such a role. Above all, we need the sincerity and dedication that comes from true patriotism to serve the nation. As sophisticated and admirable as our competency and procedures might be, it was equally important that we showed outcome and result.

His Majesty said that with the blessings of our Guardian Deities, the guidance from His Majesty Drukgyal Zhipa, and the complete support of our people, we were fortunate to witness immense peace, progress and prosperity exceeding our expectations. For this, His

Majesty took the opportunity to thank the Members of parliament for fulfilling their responsibilities.

His Majesty congratulated the National Council for having given their best to fulfill their responsibility of a legislative body and a house of review. His Majesty said that the National Council had greatly improved the standard of parliamentary proceedings, and raised the quality of political dialogue. His Majesty said that he had personally observed that the National Council had taken our national discourse far beyond rhetoric and mere eloquence, and contributed valuable ideas for the long term interest of the nation. His Majesty congratulated Thrizin Sonam Kinga for his dedication in shouldering his responsibilities.

His Majesty also commended the Opposition Leader Pema Gyamtsho and members of the opposition party, for fulfilling their role in parliament. His Majesty said that the opposition party had provided a healthy opposition by not just opposing and being confrontational, but being supportive when required and providing the balance and broader perspective on governance.

His Majesty also thanked the government for their success at home and abroad. His Majesty said that Bhutan had achieved commendable domestic socio-economic development, and was a nation well respected in the global arena. His Majesty expressed His satisfaction and appreciation to Lyonchhen Tshering Tobgay who had been selfless and tireless in serving the nation.

His Majesty said that Bhutan's experience as a parliamentary democracy had been short but we had achieved a standard of governance and political maturity that could have taken many years. His Majesty shared His hope and prayed that the strengthening of

democracy brings greater unity, harmony, and prosperity to our nation, and fulfills the aspirations of our people.

On the occasion of the conclusion of the 10th Session of the Second Parliament, His Majesty offered His Tashi Delek to the Speaker, and to all the members of parliament.

His Majesty the King graced the Closing Ceremony of the 10th Session of the Second Parliament on 8 December 2017.

23.2 Motion of Thanks

23.2.1 Prime Minister Dasho Tshering Tobgay on behalf of the Government.

The Prime Minister expressed his gratitude to His Majesty the Druk Gyalpo under four main points:

Backbone of the Nation

The Prime minister said that since the unification of Bhutan under the dual system of government by Zhabdrung Rinpoche in the 17th century, the Wangchuck Dynasty and the hereditary monarchs had further safeguarded the sovereignty and security of the country and peace and happiness flourished. Further, His Majesty the Druk Gyalpo personally visited and solved the threats caused by the Doklam issue to the country's sovereignty. The Prime Minister expressed his deep gratitude to His Majesty the King for being strong and independent backbone of the people and country.

Benevolent Parent

The Prime Minister thanked His Majesty the King for granting Kidu to the people and addressing the problems faced by the people. His

Majesty the King had granted so many Kidus such as the land Kidu, resettlement program, medical and educational Kidu and many more.

Benevolent Leader

He expressed his deep gratitude to His Majesty for the establishment of a strong foundation for a democratic system in our country and further the national objectives of the 11th Five Year Plan of self-reliance, social equality, economic development based on the noble philosophy of Gross National Happiness had been successfully completed. He thanked His Majesty for visionary advices and guidance.

Idol of Worship

The Prime Minister expressed his deep gratitude to His Majesty the King for propounding Buddhism in the country. He said that Holiness the Je Khenpo and monks had been preaching and spreading Buddhism in every remote corner of the country. Moreover, under His Majesty the King's benevolence support, the Hindu monks had also been conducting religious ceremony for which he expressed his deep gratitude.

Lastly, on behalf of the people of Bhutan, the Prime Minister expressed his appreciation and gratitude to His Majesty the Druk Gyalpo for tirelessly working for the interest of the country and people.

23.2.2 The Chairman, Dasho Dr. Sonam Kinga on the behalf the National Council,

The Chairperson submitted that the members of the National Council always kept in mind the words of wisdom imparted by His Majesty the Druk Gyalpo in 2013. He expressed his deep gratitude to His Majesty the Druk Gyalpo for commending the National Council

on for improving the standard of parliamentary proceedings and raising the quality of political dialogue. He re-dedicated himself to the service of the country under the noble and wise guidance of His Majesty the Druk Gyalpo.

He expressed his appreciation to His Majesty the King, Her Majesty the Gyaltshen and His Royal Highness the Gyalsay for visiting India and for further strengthening the existing bonds of friendship between India and Bhutan.

He submitted his gratitude to His Majesty the Druk Gyalpo for visiting places such as Merak and Sakteng in the east, Haa and Paro in the west, Laya and Lingzhi in the north, and Samste and Sarpang in the south to look into the wellbeing of our people not deterred by difficult weather conditions. He also expressed his heartfelt gratitude to His Majesty for solving the border issue at Doklam.

He offered appreciation to His Majesty for laying the foundation for a strong democracy under whose leadership the institution of democracy had achieved great heights despite it being only recently introduced. He expressed his gratitude to His Majesty the Druk Gyalpo for always imparting advice and guidance to the Parliament, Local Governments, Non-Governmental Organizations, Media and Civil Society Organization, thus, making the democratic system in Bhutan a perfect example to the world.

The Chairperson also expressed gratitude to His Holiness the Je Khenpo, the religious community, monastery and monks for spreading Buddhism in the country.

Lastly, he expressed his gratitude to His Majesty the Fourth Druk Gyalpo for the noble vision of Gross National Happiness under which

all people were privileged and get the same treatment. In line with this noble vision, the Royal Monetary Authority and Banks had made getting a loan of Nu.1.5 million more convenient to the people and hugely benefitting them. The Chairperson expressed appreciation to His Majesty the Druk Gyalpo, Her Majesty the Gyaltsuen and His Royal Highness the Gyalsay, and the Royal Family for granting such kidu and offered prayers for the long and prosperous life of His Majesty the Druk Gyalpo, Her Majesty the Gyaltsuen and His Royal Highness the Gyalsay, and the members of the Royal Family.

23.2.3 The Opposition Leader Dr. Pema Gyamtsho, on the behalf of the Opposition Party

The Opposition Leader expressed deep gratitude to His Majesty the Druk Gyalpo for always gracing the opening and closing ceremony of the Parliament showing His Majesty's support and importance of the legislative branch of the government. This further boosted the morale and dedication of the Members of Parliament to take up their legislative roles. He also thanked Her Majesty the Gyaltsuen and Royal family for gracing the closing ceremony.

He said that, during the start of the 2nd Parliament, the Opposition Party pledged to serve for the sake of country's security and sovereignty, and the wellbeing. He said that the Royal Lineage was the mainspring to show the country's independence. He expressed gratitude to His Majesty the Druk Gyalpo for maintaining the unshakable faith and close bond between the Monarch and the people, and also for granting *Kidu* to the needy people.

He offered his prayers for His Royal Highness the Gyalsay, for a prosperous accomplishment under the advice and transcendental wisdom of his revered father, His Majesty the Fourth Druk Gyalpo, Her Majesty the Gyaltsuen in many social services programmes. He

expressed appreciation to Her Majesty the Gyaltsuen for helping people with love and compassion.

He reminded that next year, Bhutan and India would be celebrating its 50 years of Indo-Bhutan bilateral relations. During that time, we expect successful outcomes with the people of Bhutan participating in the celebration with utmost admirations and interest. Furthermore, he informed that it was very crucial to keep Indo-Bhutan relations at heart whosoever the Political Parties come to form the government.

With appointment of His Royal Highness Prince Jigme Dorji Wangchuck as the Gyaltsab for the eastern region, the Gyaltsab had granted *Kidu* to the people of eastern Dzongkhags. Our people living in the remote places in the eastern Dzongkhag need not require traveling to Thimphu seeking for *Kidu*. He expressed his gratitude to His Royal Highness Prince Jigme Dorji Wangchuck for making the lives of the people in the eastern region easy and comfortable.

As pledged by the opposition party during the 1st Session of the 2nd Parliament, he said that the opposition party their effort and dedication to set an exemplary role for the opposition party in the parliament. In addition, he said that the opposition party had supported the Government on issues that were beneficial to the people and the country always keeping in mind His Majesty the Druk Gyalpo's vision for the country and as per the provisions of the Constitution. The opposition party had served the country with loyalty to Triple Gem. He thanked His Majesty the Druk Gyalpo for noble advice and wise guidance.

He thanked His Holiness the Je Khenpo, monastic body, religious community, monks, and religious practitioners for conducting

Kurim and prayers for the wellbeing and happiness in the country. Furthermore, on the behalf of opposition party, he thanked the civil servants, three armed forces, corporations, civil society organizations, and private sector employee for serving Triple Gem.

Lastly, he offered prayers for the long and prosperous life of His Majesty the Druk Gyalpo, Her Majesty the Gyaltsuen and His Royal Highness the Gyalsay, and the members of the Royal family and prayed for everlasting happiness in the country. On behalf of the opposition party, he vowed to serve the Triple Gem with full loyalty and dedication at all times.

23.3 The Closing Address by the Hon'ble Speaker

On behalf of the Members of Parliament, the Speaker welcomed and expressed gratitude to His Majesty the Druk Gyalpo for gracing the closing ceremony. Further, the Speaker also immensely thanked His Majesty the Druk Gyalpo for bestowing invaluable words of wisdom on the foundation of our democratic system, peace and security and sovereignty of the country. His Majesty had showered us with His profound vision for happiness and well-being of the people, economic development scenario of the nation and responsibility and accountability of each individual in the country.

The Speaker welcomed Her Majesty the Gyaltsuen, representatives of the Central Monastic Body, foreign dignitaries and senior government officials, and all the guests who had come to witness this occasion.

The Speaker said that His Majesty the Druk Gyalpo had always worked tirelessly for the peace and security of the people, promoting economic development, and granting *kidu* to the needy people. Therefore, the Parliament expressed utmost gratitude to His Majesty the Druk Gyalpo.

The Parliament also offered sincere gratitude to Her Majesty the Gyaltsuen, Their Majesty the Gyalyum, His Royal Highnesses and the Royal Family for taking various initiatives for the welfare of the country.

The Speaker thanked His Holiness the Je Khenpo, the Central Monastic Body and Latruels of different monastic communities for conducting numerous *Kurims* in the country for the peace and prosperity in the country. In an effort to ensure the security of the nation and continued peace for the people, three Armed Forces and Desuup had been serving tirelessly across the nation. The Parliament extended appreciation to all Armed Forces and Desuup personnel in the country. In addition, the Parliament expressed admiration to all 52 registered NGOs for playing supplementary roles in various areas for the future of our country and the youth.

The Speaker said that for kind information of the people of Bhutan, the Members of the National Council and the National Assembly as entrusted representatives of the people indeed worked together harmoniously for last five years under the noble guidance of His Majesty the Druk Gyalpo. It was our collective merits of the past deeds to have availed this opportunity to serve Tsa-Wa-Sum together as Members of this apex legislative body. The Speaker informed the House that as the continuous House of Review, the term of the Members of the National Council would be over by 9th May 2018. The Chairperson and the Members of the National Council served with full dedication and most diligently carried out legislative and review functions in accordance with the provisions of the Constitution of the Kingdom of Bhutan.

The Two Houses held ten fruitful sessions sharing high level of mutual respect and cooperation. The sessions were successful due to the extensive review of policies and legislations by the National Council. On behalf of the National Assembly, the Speaker extended deep appreciation to the Chairperson and the Members of the National Council. The Speaker also extended good wishes for the Members aspiring for the next elections and for further successful endeavors in times to come. The Speaker expressed his hope that the Members would continue to serve Tsa-Wa-Sum as exemplary leaders in the community having attained immense experiences as Members of esteemed Parliament.

The Speaker informed that, headed by the Speaker, a parliamentary delegation comprising of the Cabinet Ministers and the Members of the National Assembly visited Phuentsholing from 1 - 3rd December, 2017 to oversee the status of various industrial entities in Pasakha, Mini Dry Port, and special housing project construction sites, township and had consultation meetings. The delegation also visited the FCB auction yard and met with Food Cooperation of Bhutan.

The Speaker highlighted that during the 10th Session, the parliament deliberated on various bills, agreements and the Committee Reports submitted by the Social and Cultural Committee on the “Active and Healthy Ageing”, and on the Report of the Royal Audit Authority submitted by Public Accounts Committee (PAC). The 10th Session had been completed successfully with the support from the involvement of relevant agencies and dedicated support from the Secretary General and staff of the National Assembly Secretariat.

The Speaker offered prayers for the everlasting peace and prosperity of the people, and continued flourishing of the Buddha Dharma. He offered his deep prayers for the long lives of His Majesty the Druk Gyalpo, Members of the Royal Family, all religious masters led by His Holiness the Je Khenpo and the people of Bhutan. Thus, with this concluding remarks, the 10th Session of the 2nd Parliament of Bhutan ended successfully on the 24th Day of the 10th Month of the Fire Female Bird year. The full speech is provided in **Annexure XVII**.



8 December, 2017

(Jigme Zangpo)
SPEAKER

Annexure I

Annexure I: Inaugural Address of the Tshogpon Jigme Zangpo at the Opening Ceremony of the Tenth Session of the Second Parliament of Bhutan

15 November, 2017

1. The Tenth Session of the Second Parliament commences today on this auspicious day graced by the kind presence of our beloved His Majesty the Druk Gyalpo.

On behalf of the Members of Parliament and on my own behalf, I would like to offer gratitude to His Majesty the Druk Gyalpo for gracing the Opening Ceremony leaving aside numerous Royal engagements to attend for the welfare of the country.

2. I would also like to welcome Her Majesty the Gyaltshen, Members of the Royal Family, representatives of the Central Monastic Body, foreign dignitaries, senior government officials and armed forces, Members of the parliament and all the people who have come to witness the occasion.
3. His Majesty the Druk Gyalpo has undertaken numerous Royal initiatives in the interest of the nation. His Majesty personally visited Haa, Samtse, Bumthang, Chukha and Gasa Dzongkhags and granted kidu to the needy people. His Majesty met with people of 1,157 households and granted 433.57 acres of land kidu to the people under Gasa Dzongkhag, which will benefit the people in achieving their self sufficiency pursuits.

His Majesty had also met with the people in the areas affected by natural disasters and granted soelrey and kidu to the affected families. The Parliament would like to express gratitude to His Majesty the King.

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4. Coinciding with the Birth Anniversary of His Majesty the Fourth Druk Gyalpo, Her Majesty The Gyaltsuen formally launched the “Bhutan for Life” initiative, which is a joint initiative of the Royal Government of Bhutan, the World Wildlife Fund (WWF) and other development partners. It is a strategic and long-term solution to provide a sustained flow of finance to maintain Bhutan’s protected areas and biological corridors for perpetuity. The initiative draws on the exceptional success story of Bhutan in conservation, guided by the farsighted vision of His Majesty the Fourth Druk Gyalpo, and strengthened by the continued efforts of His Majesty the King.

Her Majesty the Gyaltsuen as the United Nations Environment Programme Ozone Ambassador has bolstered our endeavour of protecting the ozone layer. During the commemoration of the 30th anniversary of the signing of the Montreal Protocol held in Thimphu, Her Majesty the Gyaltsuen declared and inaugurated the Ozone Park in Motithang recently.

The Parliament would like to express our gratitude to His Majesty the Fourth Druk Gyalpo for gifting this great vision, His Majesty the King for strengthening this great vision for Bhutan and the world, and Her Majesty the Gyaltsuen for patronizing these noble initiatives.

5. His Majesty the King and Her Majesty the Gyaltsuen visited Thailand in October 2016 to offer respects to His Late Majesty King Bhumibol Adulyadej who passed away on 13 October, 2016. Their Majesties accompanied by His Royal Highness the Gyalsey also visited Thailand from 25 - 27 October 2017 to offer last respects and prayers to His Late Majesty during the Royal Cremation Ceremony. His Majesty conveyed messages of condolence and prayers of prosperity

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for Thailand to His Majesty King Maha Vajiralongkorn. The visits symbolize existing close ties between Bhutan and Thailand and further deepens our relations to newer heights.

Recognizing the deep admiration for His Late Majesty the King in Bhutan, His Majesty also commanded to organize a ceremony to offer prayers and light thousand butter lamps across the nation. A grand prayer ceremony with lighting of thousand butter lamps was held before the Buddha Dordenma statue at Kuensel Phodrang in Thimphu, presided over by His Holiness the Je Khenpo, and attended by the Royal Family Members, Senior Government Officials, Diplomatic corps, parliamentarians and Thai community living in Thimphu. On behalf of the Parliament, we would like to express our gratitude to His Majesty the Druk Gyalpo and His Holiness the Je Khenpo for the noble initiative.

6. On the invitation of the Prime Minister of India, His Majesty the Druk Gyalpo, accompanied by Her Majesty the Gyaltsuen and His Royal Highness the Gyalsey visited New Delhi, India from 31 October – 3 November, 2017. The Royal visit of Their Majesties is in keeping with the long standing tradition of regular high-level exchanges between the two countries. The Royal visit provided an opportunity to review the entire gamut of bilateral cooperation, including befitting celebrations for the golden jubilee of Bhutan and India's diplomatic relations in 2018, and to advance the special bilateral ties of friendship and cooperation. For this, we would like to offer our gratitude to Their Majesties and His Royal Highness the Gyalsey.
7. His Majesty the King has further strengthened the friendly relations between the Government of India and Bhutan, which was established

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in 1958. To showcase strong bilateral ties between the two nations, His Majesty has commanded to commemorate the celebrations of the golden jubilee of Indo-Bhutan diplomatic relations, and also established a high level committee under the Chairmanship of former Chief Justice Lyonpo Sonam Tobgye. The Parliament would like to express our words of appreciations to His Majesty the Druk Gyalpo.

We are hopeful that the Chairman and the Members of the committee will effectively carry out the preparatory works for the successful celebration of the event as commanded by His Majesty.

The Government of India has been supporting our development plans and we look forward for the continued support. The Parliament would like to express appreciation to the Government of India and its people for their continued support.

8. His Holiness the Je Khenpo has been presiding over the oral transmission of Kanjur before Buddha Dordenmaat Kuensel Phodrang in Thimphu from 2 August to 3 November, 2017. The event was organized for the benefit of all sentient beings, continued flourishing of Buddha Dharma and for the peace and prosperity of the country. The oral transmission commenced from 6:30 a.m. till 6:30 p.m daily for 12 long hours and was held for three long months which concluded successfully. The Parliament on behalf of all people would like to extend our deepest gratitude to His Holiness the Je Khenpo.

More than 15,000 devotees gathered at Kuensel Phodrang every day. People from Ladakh and Nepal also visited Bhutan to offer Ku Sung Thug Ten Mendrel to His Holiness the Je Khenpo, which truly signifies an eternal flourishing of Buddha Dharma.

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Similarly, we would like to offer our sincere gratitude to His Holiness for presiding over the Annual Moenlam Chenmo of Thimphu Dzongkhag right after the oral transmission of Kanjur. His Holiness the Je Khenpo made a generous contribution Nu.10,000,000.00 (Ngultrum Ten Million) to Bhutan Health Trust Fund with blessings and prayers for the good health of all Bhutanese.

Similarly, the Parliament also would like to thank the religious masters and Khentruels from Zhung Dratshang and various religious centres, Royal Bhutan Police, Desuups, voluntary groups and devoted sponsors for their support and coordination.

9. Her Majesty the Queen Mother Ashi Sangay Choden Wangchuck, as the UNFPA goodwill Ambassador, made high-level advocacy visits to 19 Dzongkhags promoting public awareness on priority public health and social issues like mother and child health, mental health, domestic and gender-based violence. Furthermore, under Her Majesty's patronage, the Royal Textile Academy initiated various exhibitions and competitions for promotion of textiles in the country.

On behalf of the Parliament, I would like to express our deep gratitude to Her Majesty the Queen Mother Ashi Sangay Choden Wangchuck and HRH Princess Euphelma Choden Wangchuck for gracing the 16th National Design and Art Competition held last month at RTA.

10. Her Royal Highness Princess Sonam Dechan Wangchuck visited Japan for one week in October 2017. During the commemoration of the 60 years of friendly relations between Bhutan and Kyoto University, Her Royal Highness delivered an Address and also met with the Japanese imperial family. Such meeting will not only strengthen close ties

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between two nations, and the Royal Families, but also deepen lasting friendship and facilitate support and assistance to the country. The Parliament would like to extend appreciation to Her Royal Highness. Similarly, we would like to thank the Government of Japan for their continued support and assistance to our country.

11. His Royal Highness Prince Jigyel Ugyen Wangchuck has taken numerous initiatives within a short period of time, after taking over the responsibility as the President of the Bhutan Olympic Committee. His Royal Highness has established numerous multi-purpose halls, football grounds and committee offices. The laying of artificial turfs has encouraged many Bhutanese youths to develop enthusiasm for football.

Among numerous initiatives, there have been huge achievements in the field of archery, taekwondo and body building. Our athletes bagged many gold and silver medals for the country. Additionally, the standard of football has been significantly improved as well.

Moreover, such skills have immensely benefitted our youth thereby strengthening the cooperation and friendship among various countries. Therefore, the Parliament would like to extend our gratitude to His Royal Highness for the initiatives.

It is hopeful that the youths of Bhutan will increasingly participate in the Olympic Games with much enthusiasm and spirits in future.

12. I would like to report to the House that with the blessings of Triple Gem and benevolent leadership of His Majesty, we have successfully hosted first ever Asian Parliamentary Assembly's Standing Committee Meeting on Social and Cultural Affairs in Bhutan.

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More than 100 parliamentarians from 20 countries, including Bhutan participated and unanimously adopted the 10 resolutions. The 10 resolutions covered a wide range of issues of mutual interest such as strengthening democracy based on Gross National Happiness, measures to Promote Cultural Diversity and Protect Cultural Heritage in Asia and achieving 2030 Agenda for Sustainable Development Goals (SDGs). Resolutions on Asian Parliamentarians against Corruption, APA Women Parliamentarians, Promoting Inter-faith Dialogue and Harmony among World Religions were also successfully deliberated and adopted.

13. On September 22, Lyonchen Dasho Tshering Tobgay along with 193 other world leaders attended the General Debate of the 72nd Session of the United Nations General Assembly (UNGA) in New York. Lyonchen reaffirmed our commitment for fighting climate change, counter terrorism, eradicating poverty and maintaining global peace and security. Lyonchen also highlighted on the system of Good Governance passed down by our visionary monarchs to our people. We would like to thank the Prime Minister for representing the country in an extraordinary manner.

Additionally, Lyonchen visited 20 Dzongkhags and 195 Gewogs out of 205 Gewogs in the country, thereby providing opportunities to hear concerns and aspirations of the people, exchange opinions with the people, and create awareness regarding the government's accountability and people's responsibilities. Such initiatives have benefitted people a lot and thus, we would like to offer appreciation to Lyonchen for such initiatives.

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14. A group of delegation led by Dasho (Dr.) Sonam Kinga, Chairperson of the National Council attended the First Executive Council Meeting in Phnom Penh, Cambodia, and also attended the 137th IPU meeting in St. Petersburg, Russia. We would like to thank the Chairperson for the fruitful parliamentary exchange and coming up with successful outcomes.
15. Similarly, I attended the 8th Conference of the Association of SAARC Speakers and Parliamentarians (ASSP) in Sri Lanka, and also visited Brussels upon the special invitation of the President of the European Union. The European Union besides, assuring EU support for the capacity building of the Parliament of Bhutan, had also affirmed the continued support, in huge amount, to our country beyond 12 FYP cycle. The Parliament of Bhutan would like to thank the European Parliament for its development assistance in the past years and for assuring continued assistance in the coming years. Besides that, the visit also saw the exchanges of opinions among the parliaments and consultative deliberations on fostering relationships and ties, which concluded fruitfully.
16. Envisioning peace and prosperity in the country, His Majesty the Fourth Druk Gyalpo has propounded the visionary philosophy of Gross National Happiness as the national development philosophy since 1970s. The philosophy of GNH has thus been recognized and widespread in the world by 2012. Furthermore, recognizing its significance in 2015, the philosophy has therefore been based in one of the 17 goals of the Sustainable Development Goals (SDGs). Accordingly, the Centre for Bhutan Studies (CBS) has organized 7th International Conference on Gross National Happiness: “GNH of Business” for three days in Thimphu.

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The conference saw an attendance of almost 400 participants including 177 experts from 30 other countries and 200 experts from Bhutan. The conference was held to execute government's plans, GNH of business and GNH in corporate governance and, for the exchange and sharing of experience and best practices among the countries. Moreover, the conference has benefitted in recognizing the national identity of the countries and further held deliberations on strengthening the cooperation and development of ties among the people and the countries, which reached fruitful conclusion. Therefore, the Parliament would like to express appreciation to Dasho Karma Ura, President of Centre for Bhutan Studies and GNH Research for successfully conducting the conference.

17. The following bills and agreements will be deliberated in the Tenth Session:

The National Assembly will deliberate on the following:

- 1) Audit Bill of Bhutan 2017;
- 2) Tax Bill 2017;
- 3) Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill of Bhutan;
- 4) Agreement Between the Royal Government of Bhutan and the Government of the People's Republic of Bangladesh for the Avoidance of Double Taxation and the prevention of Fiscal Evasion with respect to Taxes of Income;
- 5) Others include Report of the Economic Development and Private Sector Committee, petitions from local government, question hours, motions and implementation reports of the resolutions.

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18. Likewise, report by the Social and Cultural Committee on the Sustainable Development Goals (SDGs), deliberation on the Joint Sittings deliberation on the Annual Audit Reports, Performance Audit Reports and Review Reports will also be deliberated in this session.
19. Lastly, with the blessings of the Triple Gem, noble guidance of His Majesty the Druk Gyalpo, prayers from the Monastic Body, collective merits of the Bhutanese people and the support from the Members of the Parliament, I am hopeful that the Tenth Session will conclude successfully.

THANK YOU

Annexure II**Annexure II: Voting list on the Agreement Between the Royal Government of Bhutan and the Government of the People's Republic of Bangladesh for the Avoidance of Double Taxation and the prevention of Fiscal Evasion with respect to Taxes of Income****Date: 20/11/2017****Time: 10:11:47****Voting: Passed Yes: 37 Abstain: 0 No: 0 Total present: 37**

1.	Dechen Zangmo	Delegate	Yes
2.	Tshering Tobgay	Delegate	Yes
3.	Madan Kumar Chhetri	Delegate	Yes
4.	Yeshey Dorji	Delegate	Yes
5.	Zanglay Drukpa	Delegate	Yes
6.	Khandu Wangchuk	Delegate	Yes
7.	Wangdi Norbu	Delegate	Yes
8.	Jigme Wangchuk (Radhi)	Delegate	Yes
9.	Pema Gyamtsho	Delegate	Yes
10.	Norbu Wangchuk	Delegate	Yes
11.	Dorji Wangdi	Delegate	Yes
12.	Nyeema Sangay Tshempo	Delegate	Yes
13.	Karma Tenzin	Delegate	Yes
14.	Ritu Raj Chhetri	Delegate	Yes
15.	Ngedup Zangpo	Delegate	Yes
16.	Dophu Dukpa	Delegate	Yes
17.	Mingbo Dukpa	Delegate	Yes
18.	Kuenga	Delegate	Yes
19.	Gopal Gurung	Delegate	Yes
20.	Dawa Gyeltshen	Delegate	Yes
21.	Tek Bdr Subba	Delegate	Yes
22.	Tshering	Delegate	Yes
23.	Karma Dorji	Delegate	Yes

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24.	Pelzang Wangchuk	Delegate	Yes
25.	Rinzin Dorji (Phuentsholing)	Delegate	Yes
26.	Dupthob	Delegate	Yes
27.	Choida Jamtsho	Delegate	Yes
28.	Yogesh Tamang	Delegate	Yes
29.	Kelzang Wangmo	Delegate	Yes
30.	Dorji Choden	Delegate	Yes
31.	Rinzin Jamtsho	Delegate	Yes
32.	Tshewang Jurmi	Delegate	Yes
33.	Ugyen Wangdi	Delegate	Yes
34.	Karma Rangdol	Delegate	Yes
35.	Damcho Dorji	Delegate	Yes
36.	Rinzin Dorji	Delegate	Yes
37.	Kinley Om	Delegate	Yes

Annexure III**Annexure III: Voting list on the Motion for Corporatization of Jigme Dorji Wangchuck National Referral Hospital (JDWNRH)****Date: 23/11/2017****Time: 12:33:01****Voting: Passed Yes: 19 Abstain: 5 No: 15 Total present: 39**

1.	Dechen Zangmo	Delegate	Yes
2.	Madan Kumar Chhetri	Delegate	Yes
3.	Yeshey Dorji	Delegate	No
4.	Zanglay Drukpa	Delegate	Yes
5.	Khandu Wangchuk	Delegate	Yes
6.	Dina Nath Dungyel	Delegate	No
7.	Yeshey Zimba	Delegate	Yes
8.	Jigme Wangchuk (Radhi)	Delegate	Yes
9.	Pema Gyamtsho	Delegate	Yes
10.	Norbu Wangchuk	Delegate	No
11.	Dorji Wangdi	Delegate	Yes
12.	Nyeema Sangay Tshempo	Delegate	No
13.	Karma Tenzin	Delegate	No
14.	Ritu Raj Chhetri	Delegate	Yes
15.	Ngedup Zangpo	Delegate	Yes
16.	Pema Drukpa	Delegate	No
17.	Mingbo Dukpa	Delegate	No
18.	Kuenga	Delegate	No
19.	Sonam Dondup Dorji	Delegate	Abstain
20.	Gopal Gurung	Delegate	Yes
21.	Dawa Gyeltshen	Delegate	Abstain
22.	Tek Bdr Subba	Delegate	No
23.	Tandin Wangchuk	Delegate	No
24.	Karma Dorji	Delegate	Yes
25.	Pelzang Wangchuk	Delegate	No

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26.	Rinzin Dorji (Phuentsholing)	Delegate	Abstain
27.	Dupthob	Delegate	Yes
28.	Lekey Dorji	Delegate	Abstain
29.	Choida Jamtsho	Delegate	Yes
30.	Yogesh Tamang	Delegate	No
31.	Dorji Choden	Delegate	No
32.	Rinzin Jamtsho	Delegate	Yes
33.	Tshewang Jurmi	Delegate	Yes
34.	Ugyen Wangdi	Delegate	Yes
35.	Karma Rangdol	Delegate	Yes
36.	Damcho Dorji	Delegate	No
37.	Rinzin Dorji	Delegate	Yes
38.	Namgay Dorji	Delegate	No
39.	Kinley Om	Delegate	Abstain

Annexure IV

Annexure IV: After thorough deliberation in the House on 24th November, 2017, the National Assembly of Bhutan has made the following Amendments and adopted the Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill, 2017 on 27th November, 2017.

Section 59

The ~~Parliament~~**Board** may amend the Schedules including addition, deletion of substances in the Schedule or the whole Schedule ~~and/or~~ quantification of any of the substances deemed to be abused or trafficked, **upon the recommendation of the competent technical advisory committee formed under it.**

Schedule

In the Act, the new Narcotic drug with medicinal value (Tramadol) is added to schedule III.

Annexure V

Annexure V: Voting List on the adoption of the Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill of Bhutan 2017

Date: 27/11/2017

Time: 10:09:01

Voting: Passed Yes: 38 Abstain: 3 No: 1 Total present: 42

1.	Dechen Zangmo	Delegate	Yes
2.	Tshering Tobgay	Delegate	Yes
3.	Madan Kumar Chhetri	Delegate	Yes
4.	Yeshey Dorji	Delegate	Yes
5.	Zanglay Drukpa	Delegate	Yes
6.	Khandu Wangchuk	Delegate	Yes
7.	Dina Nath Dungyel	Delegate	Yes
8.	Yeshey Zimba	Delegate	Yes
9.	Wangdi Norbu	Delegate	Abstain
10.	Jigme Wangchuk	Delegate	Yes
11.	Pema Gyamtsho	Delegate	Yes
12.	Norbu Wangchuk	Delegate	Yes
13.	Dorji Wangdi	Delegate	No
14.	Nyeema Sangay Tshempo	Delegate	Yes
15.	Karma Tenzin	Delegate	Yes
16.	Ritu Raj Chhetri	Delegate	Abstain
17.	Ngedup Zangpo	Delegate	Yes
18.	Dophu Dukpa	Delegate	Yes
19.	Pema Drukpa	Delegate	Yes
20.	Mingbo Dukpa	Delegate	Yes
21.	Kuenga	Delegate	Yes
22.	Sonam Dondup Dorji	Delegate	Yes
23.	Gopal Gurung	Delegate	Yes

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24.	Dawa Gyeltshen	Delegate	Yes
25.	Tek Bdr Subba	Delegate	Yes
26.	Tandin Wangchuk	Delegate	Yes
27.	Tshering	Delegate	Yes
28.	Karma Dorji	Delegate	Yes
29.	Pelzang Wangchuk	Delegate	Yes
30.	Rinzin Dorji (Phuentsholing)	Delegate	Abstain
31.	Dupthob	Delegate	Yes
32.	Choida Jamtsho	Delegate	Yes
33.	Yogesh Tamang	Delegate	Yes
34.	Kelzang Wangmo	Delegate	Yes
35.	Rinzin Jamtsho	Delegate	Yes
36.	Tshewang Jurmi	Delegate	Yes
37.	Ugyen Wangdi	Delegate	Yes
38.	Karma Rangdol	Delegate	Yes
39.	Damcho Dorji	Delegate	Yes
40.	Rinzin Dorji	Delegate	Yes
41.	Namgay Dorji	Delegate	Yes
42.	Kinley Om	Delegate	Yes

Annexure VI

Annexure VI: After thorough deliberation in the House on 27th and 28th November, 2017, the National Assembly of Bhutan has made the following Amendments and adopted The Audit Bill of the Kingdom of Bhutan 2017 on 29th November, 2017.

Preamble, paragraph two

Amended in Dzongkha

Section 1

This Act shall:

- (1) Be called “The Audit Act of the Kingdom of Bhutan 20167”;
- (2) Come into force on the.....Day of the.....Month of the.....Year of the Bhutanese Calendar, corresponding to 20167;and (*Adopted as per National Council’s recommendation*)

Section 4

Amended in Dzongkha (*Adopted as per National Council’s recommendation*)

Section 5

The Authority shall be ~~a~~an independent and non-partisan institution headed by the Auditor General.

Section 6

Adopted as per the Bill

Section 7

~~The Authority shall have its Headquarters in Thimphu, and The regional offices shall be established in Dzongkhags and strategic locations as may be required for its effective functioning.~~

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Section 8

~~There shall be~~The Regional Offices and Training Center of the Authority
and it shall be headed by senior officials of appropriate ranks.~~an~~
~~official equal to the rank of the Deputy Auditor General and Director~~
~~respectively.~~

Section 9

The Authority shall enjoy full functional independence including
Planning and programming, ~~investigative~~**Investigation** and reporting
with regard to Auditing.

Section 14

~~As part of the mechanism instituted by the Parliament as per section 13~~
~~in this Act, the Authority shall have right to appeal to the Parliament if it~~
~~considers that funds provided to the Authority are not adequate to carry~~
~~out its functions effectively.~~

Section 15

~~The Authority's budget shall be directly charged to the consolidated fund~~
~~by Parliament. In case of the decision of Parliament on National Budget~~
~~is delayed, the Authority shall be provided with interim funds, which~~
~~shall be at least equal to the previous year's budget.~~

Section 16

~~The Authority shall utilize funds from the Audit Recoveries Account~~
~~maintained by the Authority, not exceeding twenty percent of its previous~~
~~year's re-current expenditures when the approved annual appropriation~~
~~is insufficient for effective implementation of its mandate. (Adopted as~~
~~per National Council's recommendation)~~

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Sections 17

~~The Authority shall have full authority over its personnel administration.~~
The Authority shall determine its organizational structure in consultation with Royal Civil Service Commission and administer it independently

Section 18

~~The Authority shall determine its organizational structure and staffing strength and pattern in accordance with relevant laws as per its requirement to carry out auditing economically, efficiently and effectively.~~
The Authority shall have independence and powers to regulate appointments, management and dismissal of its staffs other than the Auditor General in accordance with the Civil Service Act.

Section 19

~~Except for the Auditor General, the Authority shall regulate appointment, management and dismissal of its employees in accordance with the Civil Service Act.~~

Section 26

The salary, allowances, benefits and other service conditions of the Auditor General shall be as prescribed by ~~Parliament from time to time~~ **the Entitlement and Service Conditions Act for the Holders, Members and Commissioners of the Constitutional Offices.***(Adopted as per National Council's recommendation)*

Section 31

Except for the Auditor General, the service conditions of the **other** employees shall be ~~broadly governed~~ **in accordance with** by the Civil Service Act.

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Section 32

~~All employees of Authority including the Auditor General shall be entitled to receive 30% Migsel Soelra granted under Royal Decree in addition to the normal pay and allowances of the civil servants. (Adopted as per National Council's recommendation)~~

Section 34

The Auditor General shall, during his **or her** temporary absence from the office, designate Joint Auditor General or in his **or her** absence, a Deputy Auditor General to carry out routine functions of the Authority. (Adopted as per National Council's recommendation)

Section 36(2)

Carry out his responsibilities with utmost loyalty and dedication to the Tsa-wa-Sum, unaffected by any consideration for those inpositions of power and influence and showing no discrimination whatsoever in the line of his **or her** work; (Adopted as per National Council's recommendation)

Section 36(7)

~~Inform Forward~~ significant fraud and corruption cases to Anti-Corruption Commission, requiring further intervention by the Anti-Corruption Commission as deemed necessary by the Auditor General; and (Adopted as per National Council's recommendation)

Section 38-47

Adopted as per the Bill

Section 48

~~The Board Members shall be collectively responsible for their actions and decisions.~~

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Sub-topic under Chapter IV

The Auditor General's Code of Professional Conduct

Section 49

The Auditor General shall have the moral integrity required to competently, efficiently and professionally carryout his **or her** tasks. *(Adopted as per National Council's recommendation)*

Section 51

The Auditor General shall ensure that his **or her** conduct is consistent with the dignity, reputation and integrity of the Authority and the sovereignty and integrity of Kingdom of Bhutan. *(Adopted as per National Council's recommendation)*

Section 52

The Auditor General shall have a duty to account and be held accountable for the policies, decisions and actions of his **or her** own and of the Authority. *(Adopted as per National Council's recommendation)*

Section 56

The decisions and actions of the Auditor General shall be transparent and he **or she** shall give reasons for his **or her** decisions. *(Adopted as per National Council's recommendation)*

Section 57(2)

Not do or direct to be done, in abuse of his **or her** office or power, any act prejudicial to the rights of any other person knowing that such act is unlawful or contrary to any government policy; *(Adopted as per National Council's recommendation)*

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Section 57(5)

~~The Auditor General shall not accept any gifts or presents or benefits~~
except as permitted by relevant laws. *(Adopted as per National Council's recommendation)*

Section 58

The Auditor General shall ensure that no conflict of interest arises or appears to arise, between his **or her** public duties and his **or her** private interests, financial or otherwise. *(Adopted as per National Council's recommendation)*

Section 60(1)

Declare the assets and liabilities, including the assets and liabilities in the name of his **or her** spouse and dependents within three months after the appointment, annually thereafter and three months before leaving the office, to the Anti-Corruption Commission; *(Adopted as per National Council's recommendation)*

Section 60(3)

Not hold chairmanship or Membership in a public or private company whether it carries remuneration or is honorary other than as may be required in his **or her** official capacity as the Auditor General; *(Adopted as per National Council's recommendation)*

Section 60(4)

Not act as consultant to any company, business or association or provide assistance to any such body, except as may be appropriate in his **or her** official capacity as the Auditor General; *(Adopted as per National Council's recommendation)*

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Section 60(5)

Not be a member of, belong to, or take part in any society the Membership of which is incompatible with the functions or dignity of his **or her** office; and *(Adopted as per National Council's recommendation)*

Section 63

The Auditor General may exclude an official from an audit if he **or she** considers there is a reasonable cause to doubt the existence of a conflict of interest. *(Adopted as per National Council's recommendation)*

Section 64

The employees of the Authority shall comply with the Oath of Good Conduct, Ethics and Secrecy of Auditors of the Authority, prescribed under the Civil Service Act and **other relevant** ~~INTOSAI~~ Code of Ethics prescribed for the Supreme Audit Institution's Auditors. *(Adopted as per National Council's recommendation)*

Section 65

Violation of this Act by the Auditor General shall be a ground for his **or her** impeachment. ~~for misbehavior as per the impeachment Act.~~ *(Adopted as per National Council's recommendation)*

Section 67

If the conduct constitutes a criminal offence, he **or she** shall be punishable under applicable laws. *(Adopted as per National Council's recommendation)*

Section 68(8)

Enter into Memorandum of Understandings, Statement of Commitments or any other institutional cooperation including becoming member of national or international professional bodies, institutions and

Annexure VI

organizations on such matters including professional development of the Authority **in accordance with the governing policies and procedures of the Government;** *(Adopted as per National Council's recommendation)*

Section 68(9)

Determine and collect fees for trainings and use of its facilities **in accordance with any other laws;** *(Adopted as per National Council's recommendation)*

Section 68(11)

Provide the Parliament, Government and any public entity ~~with comments or its~~ professional opinion on ~~financial and other bills;~~ policy and legal framework and matters relating to financial management or others as deemed necessary for effective discharge of the Authority's functions;*(Adopted as per National Council's recommendation)*

Section 68(14)

Charge audit fee from ~~non-governmental organizations and~~ international agencies **and others as determined by the Authority from time to time** for audit services rendered **in accordance with any other laws;** *(Adopted as per National Council's recommendation)*

Section 68(16)

Require the audited agencies **in consultation with the concerned audit team** to fix the accountability **through signing of accountability statement** for audit observations for the financial, compliance, performance audits and any other audits in a transparent and fair manner within time frame prescribed by the Authority; *(Adopted as per National Council's recommendation)*

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Section 68(17)

Fix the accountability, if the auditee agency fails to take action as per Section 68 (16) above, the overall supervisory accountability shall invariably be fixed on the head of auditee agency

Section 68(18)

Receive and hear complaints from those who have been unfairly or wrongly held accountable and included in the Accountability Statement ~~by the management~~; and may if considered necessary ~~by it~~, independently ascertain whether the process of fixing the accountability ~~by the management~~ is fair and transparent and that the accountability is fixed only on those responsible for the lapses, losses and irregularities;
(Adopted as per National Council's recommendation)

Section 68(26)

Cooperate with international and regional accounting and auditing associations and bodies in the development and application of the generally accepted auditing standards, principles and practices in line with acceptable international standards and practices; and *(Adopted as per National Council's recommendation)*

Section 69(6)

Re-audit accounts and operations of any organization or its specific matter and account under its jurisdiction if considered necessary by the Auditor General **subject to the conditions that there are additional evidences and information to do so**; *(Adopted as per National Council's recommendation)*

Section 69(7)

~~Where for better compliance or fairer presentation of the financial statements if found appropriate, consider revision of audit opinion on~~

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its own or upon receipt of request from an appropriate authority along with statements of circumstances for revision of audited accounts and or auditors' opinion, as the case may be; **and for better compliance or fairer presentation of the financial statements if found appropriate.**

Section 72

Adopted as per the Bill

Section 73

The Authority shall have the power to frame rules and regulations, policy, procedures and guidelines as may be required for effectively carrying out its functions, duties and responsibilities provided under this Act. ~~which may cover, but not limited to, the following matters:—~~

- ~~(1) Fixing accountability and procedures for final clearance of names from the Accountability Statement included in the audit reports;~~
- ~~(2) Processing and issuing audit clearance certificates;~~
- ~~(3) Operations of Audit Recoveries Account;~~
- ~~(4) Empanelment of private firms and outsourcing audit services of certain categories of entities;~~
- ~~(5) Access to information, accounting records, information and documents: Receipt and return of files and documents;~~
- ~~(6) Develop Investigative auditing procedures designed to increase the likelihood of detection of fraud and corruption thereby reducing the incidence of their occurrences;~~
- ~~(7) Electronic communication in audit;~~
- ~~(8) Conduct of Advisory Board Meetings;~~
- ~~(9) Responses to preliminary audit observations and final audit Report;~~
- ~~(10) Levying Penalty on recoverable amounts;~~
- ~~(11) Security, safety and safeguards of Office premises;~~
- ~~(12) Handling of complaints, feed backs and suggestions;~~

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- ~~(13) Information Technology system development, infrastructure and security;~~
 - ~~(14) Continuous Professional Development and trainings;~~
 - ~~(15) Operation of Training Centre;~~
 - ~~(16) Instituting schemes for Award and Citations;~~
 - ~~(17) Publication of Audit and other Reports;~~
 - ~~(18) Research in audit methodologies and practices;~~
 - ~~(19) Disciplinary proceedings and actions;~~
 - ~~(20) Retention and destruction of audit reports;~~
 - ~~(21) Follow-up of audit reports and resolving audit observations;~~
 - ~~(22) Powers and authority of Acting Auditor General, and~~
 - ~~(23) Reliance on the work of internal auditors.~~
- (Adopted as per National Council's recommendation)*

Section 74(1)

Adopted as per the Bill

Section 74(2)

Access to bank statements of agencies audited, suppliers, ~~taxpayers~~ **individuals** and other third parties in accordance with the laws, if required by the Authority; *(Adopted as per National Council's recommendation)*

Section 74(3)

Enforce or initiate enforcement action to secure access to needed records, which are not produced. The Authority may seal, search and seize documents and other related records **in accordance with the laws**, and keep those under proper custody and control where it is considered necessary for its audit or where circumstances indicate possible risks of loss or manipulations of information and documents; *(Adopted as per National Council's recommendation)*

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Section 74(6)

Enter into agreements or arrangements with relevant agencies outside the country for securing needed access to premises and records, information and documents in relation to public operations **in accordance with governing policies and procedures of the Government;** *(Adopted as per National Council's recommendation)*

Section 74(8)

~~Obtain copies of any documents or materials,~~ Access to premises, office space and other facilities; *(Adopted as per National Council's recommendation)*

Section 75

The Auditor General or anyone authorized by him **or her** upon written notice may require anyone currently or previously involved in the activities under audit to: *(Adopted as per National Council's recommendation)*

Section 79

The Auditor General may delegate his **or her** powers to employees of the Authority but such delegation shall not absolve **the Auditor General** ~~him~~ of his **or her** responsibilities assigned under this Act. *(Adopted as per National Council's recommendation)*

Section 96

~~Carry out review of~~ **Provide comments and views on** fiscal and macro-economic sustainability, fiscal and monetary and such other policies relating thereto as the Authority may consider appropriate. *(Adopted as per National Council's recommendation)*

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Section 99

~~Operate~~ **Maintain** Audit Recoveries Account ~~maintained~~ with the designated Bank. ~~of the Government.~~ *(Adopted as per National Council's recommendation)*

Section 103(9)

All state enterprises in which government has stake, financial institutions including the Central and other Banks and their subsidiaries established under the laws of Bhutan in which the Government has an ownership interest; *(Adopted as per National Council's recommendation)*

Section 104

Notwithstanding the provision of any laws relating to the accounts, and audit of any public/**private** entities, the Parliament, by resolution, may ~~request~~ **direct** that the accounts of such entities be audited by the Authority. *(Adopted as per National Council's recommendation)*

Section 105

~~Except the requirement for conducting audit under Section 103 subsection (14) of this Act, the Auditor General may exercise his discretion on any request or directives received for conducting audits having regard to its audit plans and priorities.~~ *(Adopted as per National Council's recommendation)*

Section 106

~~The Auditor General shall be adequately consulted by the entity prior to entering into agreements with donors and others which would require audit services of the Authority for effective delivery of audit services.~~ *(Adopted as per National Council's recommendation)*

Annexure VI

Section 107

The Authority shall establish **its own** auditing, reporting standards and practices that will meet the highest auditing and reporting standards.

(Adopted as per National Council's recommendation)

Section 110

The Authority may rely **and use on the reports of the** audits performed by other organizations including internal auditors if **they** ~~it has~~ reasonable assurance ~~through such means as prior experience, tests or other indicators that the audits and the reports on those audits are accurate, reliable and meet its~~ **conform to the** standards **acceptable to the Authority.**

(Adopted as per National Council's recommendation)

Section 114

~~The Authority may rely and use the work of internal auditors, depending on the extent, nature and scope of the work performed by the internal auditors.~~ *(Adopted as per National Council's recommendation)*

Section 126

Confidential information may be covered in a separate report which shall not be divulged or released prior to its authorized release, or revealed to other parties not concerned, without prior clearance and approval of the Auditor General or his **or her** duly designated representative. *(Adopted as per National Council's recommendation)*

Section 127

~~The Authority shall submit copies of the Audit Report to the Druk Gyalpo, the Prime Minister, the Chairperson of the Royal Civil Service Commission and the Chairperson of the Anti-Corruption Commission, where audit observations are of serious nature requiring urgent attention.~~ *(Adopted as per National Council's recommendation)*

Annexure VI

Section 130(2)

The report on the accounts and operation of the Authority for the previous fiscal year **and the external auditor's report on the financial propriety audit of the Authority's own accounts of the past financial year.**

New subsection under section 130(10)

Any other matter based on audit observations that the Auditor General, in his or her opinion, considers to be significant.

~~Section 131~~

~~Any other matter based on audit observations that the Auditor General, in his **or her** opinion, considers to be significant and of a nature that needs to be brought to the attention of His Majesty the Druk Gyalpo, the Parliament and the people of Bhutan.~~

Section 132

The Auditor General may submit to His Majesty the Druk Gyalpo, **the Prime Minister** and the Parliament, ~~the Prime Minister and the Government~~ any other report including the Auditor General's Advisory Series and Occasional Papers covering specific or range of issues intended towards promoting accountability, transparency, integrity and value for money in public operations.

Section 136

~~The Authority shall endorse copies of the Annual Audit Report to the Lhengye Zhungtshog, Chief Justice of Supreme Court, Chief Justice of High Court, the Heads of the Constitutional offices, Secretaries of Ministries, Heads of Autonomous Agencies, all Dzongdags, Gups, Thrompons, Chairperson of Druk Holding Investment Ltd. and Chief Executive Officers of the Corporations and Financial Institutions.~~

Annexure VI

Section 140

~~All recoveries shall be deposited into the Audit — Recoveries Account maintained by Authority and recoveries pertaining to cases under litigation shall not be remitted to Ministry of Finance until the case is finally resolved.~~ *(Adopted as per National Council's recommendation)*

Section 142

Adopted as per the Bill

Section 144

~~The Auditor General may designate the Joint Auditor General or Deputy Auditor General to represent the Authority on the Finance and Audit Committee Meeting(s) to review unresolved financial irregularities as stipulated in the Public Finance Act.~~ *(Adopted as per National Council's recommendation)*

Section 152

The Parliament ~~may~~**shall** appoint or authorize the Public Accounts Committee to appoint independent auditors **with appropriate terms of reference** for a term **not exceeding** of three years ~~out of the Panel of Firms maintained by the Authority~~ for auditing the annual accounts of Authority.

Section 157

The Audit Committee of the Authority constituted under section 68(~~2425~~) of this Act shall provide appropriate Terms of Reference and oversee the effectiveness of internal audit and take actions on internal audit observations. *(Adopted as per National Council's recommendation)*

Section 159

The Auditor General, or anyone designated to do so by him **or her** from the Authority may provide advice or information to a person or entity

Annexure VI

relating to the responsibilities of the Authority. *(Adopted as per National Council's recommendation)*

New section after section 160

The Authority shall observe the utmost financial propriety in its own financial and budgetary operations.

Section 166

A person commits an offence of: ~~obstruction to the lawful Authority if a person:~~ *(Adopted as per National Council's recommendation)*

Section 166(1)

If a person willfully obstructs the Auditor General or any person authorized by the Auditor General in the performance of his or her functions under this Act ; or refuses or fails to give to the Auditor General or any person authorized by the Auditor General, access to any property, books, record, or other documents, information referred under this Act; *(Adopted as per National Council's recommendation)*

Section 166(2)

If a person knowingly presents a false or makes false statement with intent to deceive or mislead the Authority; *(Adopted as per National Council's recommendation)*

Section 166(3)

If a person fails to provide written replies to audit observations within the timeframe stipulated by the Authority; or fails to furnish Action Taken Report on the audit report within the timeframe stipulated by the Authority. *(Adopted as per National Council's recommendation)*

Annexure VI

Section 167

Person who is found guilty of:

- (1) An offence under subsections 166 (1) and (2) shall be liable for petty misdemeanor.**
- (2) An offence under subsection 166(3) shall not be issued an Audit Clearance Certificate and shall also be liable for administrative action, if necessary.**

(Adopted as per National Council's recommendation)

Section 171

The use of ~~masculine gender~~ shall include the feminine gender and singular shall include the plural.*(Adopted as per National Council's recommendation)*

New section after Section 171

The amendment of this Act by way of addition, variation or repeal shall be effected by the Parliament. *(Adopted as per National Council's recommendation)*

Section 172

Definition 12

~~“INTOSAI” means the International Organization of Supreme Audit Institutions is an international and independent body which aims at promoting the exchange of ideas and experience between Supreme Audit Institutions in the sphere of public financial control.~~*(Adopted as per National Council's recommendation)*

New section after definition 11

(12) “Investigation and auditing” refers to detailed and in depth examination and analysis of accounts and the use of accounting

Annexure VI

procedures designed to enhance the likelihood of finding of financial irregularities, fraud and corruption.

(13) “Public interest” means in which society has a stake. *(Adopted as per National Council’s recommendation)*

(14) “Public Resources” includes public money, stores, property, assets, loans and investments. *(Amended in Dzongkha)*

Annexure VII**Annexure VII: Voting list on the adoption of Royal Audit Bill 2017****Date: 29/11/2017****Time: 10:08:29****Voting: Passed Yes: 41 Abstain: 1 No: 1 Total present: 43**

1.	Dechen Zangmo	Delegate	Yes
2.	Tshering Tobgay	Delegate	Yes
3.	Madan Kumar Chhetri	Delegate	Yes
4.	Zanglay Drukpa	Delegate	Yes
5.	Khandu Wangchuk	Delegate	Yes
6.	Dina Nath Dungyel	Delegate	Yes
7.	Yeshey Zimba	Delegate	No
8.	Wangdi Norbu	Delegate	Yes
9.	Jigme Wangchuk	Delegate	Yes
10.	Pema Gyamtsho	Delegate	Yes
11.	Norbu Wangchuk	Delegate	Yes
12.	Dorji Wangdi	Delegate	Yes
13.	Nyeema Sangay Tshempo	Delegate	Yes
14.	Karma Tenzin	Delegate	Yes
15.	Ritu Raj Chhetri	Delegate	Yes
16.	Ngedup Zangpo	Delegate	Yes
17.	Dophu Dukpa	Delegate	Abstain
18.	Pema Drukpa	Delegate	Yes
19.	Mingbo Dukpa	Delegate	Yes
20.	Kuenga	Delegate	Yes
21.	Sonam Dondup Dorji	Delegate	Yes
22.	Gopal Gurung	Delegate	Yes
23.	Dawa Gyeltshen	Delegate	Yes
24.	Tek Bdr Subba	Delegate	Yes
25.	Tandin Wangchuk	Delegate	Yes
26.	Tshering	Delegate	Yes

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27.	Karma Dorji	Delegate	Yes
28.	Pelzang Wangchuk	Delegate	Yes
29.	Rinzin Dorji (Phuentsholing)	Delegate	Yes
30.	Dupthob	Delegate	Yes
31.	Lekey Dorji	Delegate	Yes
33.	Yogesh Tamang	Delegate	Yes
34.	Kelzang Wangmo	Delegate	Yes
35.	Dorji Choden	Delegate	Yes
36.	Rinzin Jamtsho	Delegate	Yes
37.	Tshewang Jurmi	Delegate	Yes
38.	Ugyen Wangdi	Delegate	Yes
39.	Damcho Dorji	Delegate	Yes
40.	Rinzin Dorji	Delegate	Yes
41.	Namgay Dorji	Delegate	Yes
42.	Kinley Om	Delegate	Yes
43.	Novin Darlami	Delegate	Yes

Annexure VIII

Annexure VIII: After extensive deliberation in the House on 29th November, 2017, the National Assembly of Bhutan has made the following Amendments and adopted the Tourism Levy Exemption Bill of Bhutan 2017.

Preamble

WHEREAS the need for targeted intervention was felt to improve tourism growth in eastern Dzongkhags and incentivize international leisure tourist through exemption of tourism levy.

The Parliament of the Kingdom of Bhutan hereby enacts as follows:
(Amended in Dzongkha)

Section 1

Title

This Act ~~is~~**shall be called** the Tourism Levy Exemption Act 2017.

New section under section 2

Implementation

The Act shall be implemented from the day the Bill is introduced by the Finance Minister in the National Assembly of Bhutan.

Section 4

The Tourism levy exemption for the eastern circuit shall expire by 31st December, 2020. **(Amended in Dzongkha)**

Section 7

Exemption of Tourism Levy

An international leisure tourist visiting eastern circuit shall be exempted from payment of applicable tourism levy for the duration of their stay **in the eastern Dzongkhags.**

Annexure IX**Annexure IX: Voting list on the adoption of Tourism Levy Exemption Bill of Bhutan 2017****Date: 30/11/2017****Time: 11:49:36****Voting: Passed Yes: 37 Abstain: 1 No: 2 Total present: 40**

1.	Dechen Zangmo	Delegate	Yes
2.	Tshering Tobgay	Delegate	Yes
3.	Madan Kumar Chhetri	Delegate	Yes
4.	Zanglay Drukpa	Delegate	Yes
5.	Khandu Wangchuk	Delegate	Yes
6.	Dina Nath Dungyel	Delegate	Yes
7.	Yeshey Zimba	Delegate	Yes
8.	Wangdi Norbu	Delegate	Yes
9.	Jigme Wangchuk	Delegate	Yes
10.	Pema Gyamtsho	Delegate	Abstain
11.	Dorji Wangdi	Delegate	No
12.	Nyeema Sangay Tshempo	Delegate	Yes
13.	Karma Tenzin	Delegate	Yes
14.	Ritu Raj Chhetri	Delegate	Yes
15.	Ngedup Zangpo	Delegate	No
16.	Dophu Dukpa	Delegate	Yes
17.	Pema Drukpa	Delegate	Yes
18.	Mingbo Dukpa	Delegate	Yes
19.	Kuenga	Delegate	Yes
20.	Sonam Dondup Dorji	Delegate	Yes
21.	Gopal Gurung	Delegate	Yes
22.	Dawa Gyeltshen	Delegate	Yes
23.	Tek Bdr Subba	Delegate	Yes
24.	Tshering	Delegate	Yes

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25.	Karma Dorji	Delegate	Yes
26.	Rinzin Dorji (Phuentsholing)	Delegate	Yes
27.	Dupthob	Delegate	Yes
28.	Lekey Dorji	Delegate	Yes
29.	Choida Jamtsho	Delegate	Yes
30.	Yogesh Tamang	Delegate	Yes
31.	Kelzang Wangmo	Delegate	Yes
32.	Dorji Choden	Delegate	Yes
33.	Rinzin Jamtsho	Delegate	Yes
34.	Tshewang Jurmi	Delegate	Yes
35.	Ugyen Wangdi	Delegate	Yes
36.	Karma Rangdrol	Delegate	Yes
37.	Rinzin Dorji	Delegate	Yes
38.	Namgay Dorji	Delegate	Yes
39.	Kinley Om	Delegate	Yes
40.	Novin Darlami	Delegate	Yes

Annexure X

Annexure X: Voting list on the Re-deliberation of the Anti-Money Laundering and Countering the Financing of Terrorism Bill of Bhutan 2017

Date: 1/12/2017

Time: 12:10:01

Voting: Passed Yes: 39 Abstain: 0 No: 0 Total present: 39

1.	Dechen Zangmo	Delegate	Yes
2.	Tshering Tobgay	Delegate	Yes
3.	Madan Kumar Chhetri	Delegate	Yes
4.	Yeshey Dorji	Delegate	Yes
5.	Zanglay Drukpa	Delegate	Yes
6.	Khandu Wangchuk	Delegate	Yes
7.	Dina Nath Dungyel	Delegate	Yes
8.	Wangdi Norbu	Delegate	Yes
9.	Jigme Wangchuk	Delegate	Yes
10.	Pema Gyamtsho	Delegate	Yes
11.	Dorji Wangdi	Delegate	Yes
12.	Nyeema Sangay Tshempo	Delegate	Yes
13.	Karma Tenzin	Delegate	Yes
14.	Ritu Raj Chhetri	Delegate	Yes
15.	Ngedup Zangpo	Delegate	Yes
16.	Dophu Drukpa	Delegate	Yes
17.	Pema Drukpa	Delegate	Yes
18.	Mingbo Drukpa	Delegate	Yes
19.	Kuenga	Delegate	Yes
20.	Sonam Dondup Dorji	Delegate	Yes
21.	Gopal Gurung	Delegate	Yes
22.	Dawa Gyeltshen	Delegate	Yes
23.	Tek Bdr Subba	Delegate	Yes

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24.	Tshering	Delegate	Yes
25.	Karma Dorji	Delegate	Yes
26.	Rinzin Dorji (Phuentsholing)	Delegate	Yes
27.	Dupthob	Delegate	Yes
28.	Lekey Dorji	Delegate	Yes
29.	Choida Jamtsho	Delegate	Yes
30.	Yogesh Tamang	Delegate	Yes
31.	Kelzang Wangmo	Delegate	Yes
32.	Dorji Choden	Delegate	Yes
33.	Rinzin Jamtsho	Delegate	Yes
34.	Tshewang Jurmi	Delegate	Yes
35.	Ugyen Wangdi	Delegate	Yes
36.	Damcho Dorji	Delegate	Yes
37.	Rinzin Dorji	Delegate	Yes
38.	Kinley Om	Delegate	Yes
39.	Novin Darlami	Delegate	Yes

Annexure XI

Annexure XI: The National Assembly re-deliberated on Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill, 2017 on 4th December, 2017 and adopted the Bill on 5th December, 2017 as follows:

New Section 4A

Such other drugs or substances of similar nature, effect, group or properties as those listed under Schedules I to VI of this Act shall be subject to the same measures of control as the controlled drug or substance listed under this Act.

Section 26

The authorised officers may enter premises, make seizures and take samples wherever the operations referred to in section 25 of this Act are carried out in accordance with the Civil and Criminal Procedure Code of Bhutan **and rules and regulations.**

New Section 47 A

A person charged under Section 152 of this Act shall remain under custody of the authorized officer or law enforcement agency until he or she is produced before the treatment assessment panel till the completion of the treatment as provided in the rules and regulations.

Section 54

Appointment of the Board Members

The Board Members shall be appointed by the Royal Government **and shall comprise of:** ~~from amongst relevant ministries, departments, agencies and civil society organizations; and the Board shall be chaired by a relevant Cabinet Minister.~~

- 1. Minister, Ministry of Health as Chairperson**
- 2. Secretary, Ministry of Home and Cultural Affairs**

Annexure XI

- 3. Secretary, Ministry of Education**
- 4. Chief of Police, Royal Bhutan Police**
- 5. Head, Department of Revenue and Customs**
- 6. Head, Department of Trade**
- 7. Heads of two relevant Civil Society Organizations nominated by CSO Authority**
- 8. Head, Drug Regulatory Authority**
- 9. Director General, Bhutan Narcotic Control Agency**

Section 56

In case of vacancy, the Royal Government shall appoint another person to fill the vacancy **within 30 working days**.

Section 59

The ~~Parliament~~**Board** may amend the Schedules including addition, deletion of substances in the Schedule or the whole Schedule ~~and/or~~ quantification of any of the substances deemed to be abused or trafficked, **upon the recommendation of the competent technical advisory committee formed under it.**

New Section 59 A

The board shall submit to the Parliament for information as and when the schedules are revised or updated.

Section 83

Body search of a woman under this Act shall be carried out by a woman. ~~and if that is not possible, in the presence of a woman.~~

Section 85

Drug Screening and drug testing

Annexure XI

The Authority or an agency designated by the Authority may conduct drug screening and testing of any person, substance, **container** or sample in accordance with the ~~laws based on credible information~~ **rules and regulations. if:**

- ~~(1) A person causes public nuisance or poses probable risk to the public and is under reasonable ground suspected to have consumed or consuming any substances controlled under this Act in any public place; or~~
- ~~(2) A container or suspected goods contains controlled substance listed under Schedules I to V of this Act with or without authorization.~~

Section 86

If the defendant or suspect declines to provide specimen of his or her blood/urine or other samples for the test, the agency shall detain the suspect and obtain the required samples as per the procedures laid down under the Civil and Criminal Procedure Code of Bhutan **and rules and regulations.**

Section 133

Illicit trafficking of cannabis and its derivatives

A defendant shall be guilty of an offence of illicit trafficking of cannabis and its derivatives, regardless of the degree of purity, if he or she **possesses**, imports, exports, stores, sells, purchases, transports, distributes, or supplies cannabis or its derivatives if it is more than the quantity determined in Schedule VII of this Act.

Section 136

(Amended in Dzongkha)

Annexure XI

Section 141

The offence of illicit trafficking of any substance listed under Schedule III and IV of this Act shall be:

- (1) A felony of third degree if the quantity ~~is equal to or~~ more than two times the quantity determined in Schedule VII of this Act; or
- (2) A felony of fourth degree, if the quantity ~~is equal to or~~ more than the quantity determined in Schedule VII of this Act but **equal to or** less than two times the quantity determined.

New Section 141 A

Notwithstanding the provisions of this Act, a person possessing equal to or less than two times the quantity determined in Schedule VII of this Act shall be liable for offence of substance abuse under Section 152 of this Act in lieu of the offence of illicit trafficking, provided all of the following conditions are present:

- (1) The substance in possession is Cannabis and its derivatives or a substance under Schedule III or IV of this Act;**
- (2) Tested positive for the substance in possession;**
- (3) No past criminal record related to illicit trafficking of controlled drugs or substances; and**
- (4) Absence of proof against illicit trafficking.**

Section 152

Offence of substance abuse

A ~~defendant~~**person** shall be liable for an offence of substance abuse if he or she:

- (1) Is tested positive for any substance under Schedule I or II of this Act **(except cannabis and its derivatives)** but not in possession; and/or
- (2) Is found consuming or to have consumed any substance under

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Schedule III or IV of this Act unless prescribed by a registered ~~medical officer;~~ **physician;** and/or

- (3) Possesses such substance under Schedule III or IV of this Act ~~within~~ **or cannabis and its derivatives equal to or less than** the quantity determined in Schedule VII of this Act and tested positive for the substances in possession; **and/or**
- (4) Is ~~tested positive for~~ **found consuming or to have consumed** any substance under Schedule VI of this Act.

Section 154

Offence of substance abuse by minor

Notwithstanding section 153 of this Act, a minor committing an offence of substance abuse for:

- (1) The First time shall be liable to be referred to institutional based counseling. An out of school or non-school going minor shall be referred to an approved treatment centre for minor or drop-incentre for a period of not less than two weeks;
- (2) The Second time shall be liable to undergo compulsory treatment and rehabilitation for not less than one month in an approved treatment centre for minor as assessed by the Treatment Assessment Panel ~~or community service as specified under rules and regulations;~~
- (3) The Third time shall be liable to undergo compulsory treatment and rehabilitation for not less than three months **or community service or both as specified under rules and regulations;**
- (4) The Fourth time shall be liable to undergo compulsory treatment for one year or less at a juvenile correctional centre **or community service or both as specified under rules and regulations** and early release on good conduct and early recovery as recommended by the Treatment Assessment Panel.

Annexure XI

Section 157

Grading of unauthorized advertising

The offence of unauthorized advertisement of controlled drugs and substances listed under this Act shall be a misdemeanor.

~~Provided that every successive offence thereafter, shall be subject to enhanced punishment as per the Penal Code of Bhutan.~~

Definitions

Section 165

Unless the context otherwise requires:

- (1) **“Advertisement”** means the broadcasting **and/or display** of controlled drugs or substances in any **form and medium for commercial purposes**.
- (4) **“Authorized officer”** means ~~an officer duly assigned by~~ **designated official of the Authority and/or an official of an agency authorized** by the Narcotics Control Board ~~from relevant agencies~~ to carry out the provisions of this Act.
- (9) **“Cannabis”** means **the cannabis plant including the** flowering or fruiting tops, ~~of the cannabis plant (excluding the seeds and/or leaves when not accompanied by the tops)~~ from which the resin has not been extracted; by whatever name they may be designated;
- (28) **(Amended in Dzongkha)**
- (39) **“Psychotropic substance”** means a substance with ~~mild~~ **mind** altering properties as listed under Schedule II and IV of this Act;
- (40) **“Registered Physician”** means practitioner of the science of medicine who is duly authorized and registered under the ~~Bhutan~~ Medical and Health Council of Bhutan **or other countries** as a medical professionals;

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New Insertion after Definition 44

(45) “**Illicit trafficking**” means possession, import, export, store, sell, purchase, transport, traffic, distribute, or supply of controlled drugs and substances under Schedule I to VI for any pecuniary or material benefit contrary to the provisions of the Act;

Schedule

Deleted

Schedule I

Narcotic Drugs with no medicinal value

19.AH-7921

20.U-47700

21.Propiram

Schedule II

Psychotropic Substances with no medicinal value

29.25B-NBOMe

30. 25C-NBOMe

31. 25I-NBOMe

32. PMA

Schedule III

Narcotic Drugs with medicinal value

100. Tramadol

101. MT-45

102.Dihydromorphine

103.Oripavine

Schedule IV

Psychotropic Substances with medicinal value

75. Dexamfetamine

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77. Fenetylline
80. Metamfetamine
81. Metamfetamine Racemate
82. Methaqualone
85. Phenmetrazine
88. AM-2201
89. N-Benzylpiperazine
90. 2C-B
91. JWH-018
92. Levomethamphetamine
93. MDPV
94. Mephedrone
95. Methoxetamine (MXE)
96. Methylone
97. α -PVP
98. 4,4'-DMAR
99. Phenazepam

Schedule V

Precursor Chemicals under Table I and II of the Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988

Table I:

14. ~~Saffrole~~ Alpha phenyl acetoacetonitrile (APAAN)
15. Phenyl Acetic Acid (~~w.e.f 17.1.2011~~)

Schedule VII

Narcotic Drugs with no medicinal value

19. AH-7921
20. U-47700
21. Propiram

Annexure XI

Schedule VII

Quantities determined for Psychotropic Substances with no medicinal value

- 29.25B-NBOMe
- 30. 25C-NBOMe
- 31. 25I-NBOMe
- 32. PMA

Schedule VII

4. Quantities determined for Narcotic Drugs having medicinal value

- 100. Tramadol
- 101. MT-45
- 102. Dihydromorphine
- 103. Oripavine

Schedule VII

5. Quantities determined for Psychotropic Substances having medicinal value

- 75. Dexamfetamine
- 77. Fenetylline
- 80. Metamfetamine
- 81. Metamfetamine Racemate
- 82. Methaqualone
- 85. Phenmetrazine
- 88. AM-2201
- 89. N-Benzylpiperazine
- 90. 2C-B
- 91. JWH-018
- 92. Levomethamphetamine

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- 93. MDPV
- 94. Mephedrone
- 95. Methoxetamine (MXE)
- 96. Methylone
- 97. α -PVP
- 98. 4,4'-DMAR
- 99. Phenazepam

Schedules I to VII

Propose to rearrange substances in all schedules in alphabetical order

Annexure XII

**Annexure XII: Voting list on the Re-deliberation of the Narcotic
Drugs, Psychotropic Substances and Substance Abuse (Amendment)
Bill of Bhutan 2017 (Urgent Bill)**

Date: 05/12/2017

Time: 4:43:22

Voting: Passed Yes: 40 Abstain: 1 No: 1 Total present: 42

1.	Tshering Tobgay	Delegate	Yes
2.	Madan Kumar Chhetri	Delegate	Yes
3.	Yeshey Dorji	Delegate	Yes
4.	Zanglay Drukpa	Delegate	Yes
5.	Khandu Wangchuk	Delegate	Yes
6.	Yeshey Zimba	Delegate	Yes
7.	Wangdi Norbu	Delegate	Yes
8.	Jigme Wangchuk	Delegate	Abstain
9.	Pema Gyamtsho	Delegate	Yes
10.	Dorji Wangdi	Delegate	Yes
11.	Nyeema Sangay Tshempo	Delegate	Yes
12.	Karma Tenzin	Delegate	Yes
13.	Ritu Raj Chhetri	Delegate	Yes
14.	Ngedup Zangpo	Delegate	No
15.	Dophu Dukpa	Delegate	Yes
16.	Pema Drukpa	Delegate	Yes
17.	Mingbo Dukpa	Delegate	Yes
18.	Kuenga	Delegate	Yes
19.	Sonam Dondup Dorji	Delegate	Yes
20.	Chimi Dorji	Delegate	Yes
21.	Gopal Gurung	Delegate	Yes
22.	Dawa Gyeltshen	Delegate	Yes
23.	Tek Bdr Subba	Delegate	Yes
24.	Tandin Wangchuk	Delegate	Yes

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25.	Tshering	Delegate	Yes
26.	Karma Dorji	Delegate	Yes
27.	Pelzang Wangchuk	Delegate	Yes
28.	Rinzin Dorji (Phuentsholing)	Delegate	Yes
29.	Dupthob	Delegate	Yes
30.	Lekey Dorji	Delegate	Yes
31.	Choida Jamtsho	Delegate	Yes
32.	Yogesh Tamang	Delegate	Yes
33.	Kelzang Wangmo	Delegate	Yes
34.	Dorji Choden	Delegate	Yes
35.	Rinzin Jamtsho	Delegate	Yes
36.	Tshewang Jurmi	Delegate	No
37.	Ugyen Wangdi	Delegate	Yes
38.	Karma Rangdrol	Delegate	Yes
39.	Damcho Dorji	Delegate	Yes
40.	Rinzin Dorji	Delegate	Yes
41.	Kinley Om	Delegate	Yes
42.	Novin Darlami	Delegate	Yes

Annexure XIII

Annexure XIII: The National Assembly re-deliberated on Information, Communications and Media Act of Bhutan 2017 on 4th December, 2017 and adopted the Bill on 5th December, 2017 as follows:

Preamble

WHEREAS, to create and promote a Bhutanese information society and the right environment for the vibrant growth of ICT and Media sectors ~~in the country;~~ **in line with the principles of Gross National Happiness;**

WHEREAS, to ensure technology neutrality, convergence, innovation, private sector participation and competition in the development of the ICT and Media sectors;

WHEREAS, to ensure quality, diversity, speed and choice of ICT and media services, so that the country benefits from the opportunities presented by new developments in the sectors;

~~WHEREAS, to strengthen the capacity of the Regulatory Authority to effectively regulate the ICT and media sectors;~~

WHEREAS, to realign and ensure clearer responsibilities of the ~~Government~~ **implementing** and the regulatory bodies;

The Parliament of the Kingdom of Bhutan do hereby enact the Information, Communication and Media Bill of Bhutan 2016~~7~~ on theDay of the Month of.....Year of the Bhutanese Calendar corresponding to the... Day of...Month...year....at its.....session of the...Parliament as follows:

Section 1

(1) Be called the ~~Bhutan~~ Information, Communications and Media Act of ~~Bhutan~~ **Bhutan 2016 2017**

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- (2) Come into force on the.....Day of the....month of theof the Bhutanese Calendar corresponding to.....Day of the.....Month of 2015**2017**; and
- (3) Extend to the whole of Kingdom of Bhutan

Section 2

This Act shall repeal the Bhutan Information Communication Media Act 2006, and ~~sections 476 and 477 of the Penal Code of Bhutan, 2004.~~

Section 6

The Ministry shall:

- 1) Develop and promote the growth of ICT and media sectors in a holistic way through an emphasis on talent, research, innovation and enterprise;**
- 2) Direct, coordinate, advice and support the public and private sectors on ICT and media related matters to build a competitive and sustainable info-comm. media industry.**
- 3) Formulate legislation, policies, and plans related to ICT and media matters;**
- 4) Propose appropriate codes and standards for ICT apparatus including radio communication apparatus for approval by Bhutan Standards Bureau;**
- 5) Approve Rules and Regulations to implement various provisions of this Act including policy guidelines on tariff and rates;**
- 6) Hear the compliant and settle the disputes between clients and regulatory bodies through appropriate means.**

Section 7

~~The Minister may, delegate the performance of all or any of the functions under section 6 of this Act to the Authority.~~

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Section 8

The Ministry may recommend the Authority to exempt the license requirement:

- 1) ~~License requirement for~~**For** certain types of ICT apparatus; and
- 2) ~~License requirements for~~**For** the use of those ICT apparatus under certain circumstances such as widening consumer choices, improvement in the services, increasing the coverage of services, etc.

Section 9

~~The Minister may, constitute ad-hoc ICT and Media Advisory bodies to advise the Ministry on all aspects of ICT and Media Sectors or delegate specific responsibilities as necessary upon approval of the Cabinet.~~

Section 10

~~The Advisory bodies established under section 9 of this Act shall function in accordance with the terms of reference approved by the Minister.~~

Section 11

~~The Members of ICT and Media Advisory bodies shall be paid such remuneration as specified under the terms of reference.~~

Section 12

~~If it appears to the Minister to be necessary to do so~~ In the interest of the sovereignty, security, unity and integrity of Bhutan, ~~or the interest of friendly relations with foreign States,~~ the Minister may issue a directive requiring a person to do or abstain from doing an act pertaining to ICT and Media facility or services.

Section 17

The Ministry may, on approval or **endorsement** ~~ratification~~ by the Cabinet, take over the control and management of any ICT or Media

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facility or services including applications services and/or content applications services or suspend its operation, or entrust any agency of the Government to manage it, during:

- 1) an emergency under which the sovereignty, security, or territorial integrity of Bhutan or any part thereof is threatened by an act of external aggression or armed rebellion; or
- 2) a natural or man-made disaster which causes, or threatens to cause loss of life or destruction to property.

Section 24

The amount of compensation under section 23 of this Act shall be determined by the ~~Minister~~ **Ministry based on the prevailing market rates or other acceptable methods**, within three months from the date on which the control and management of the ICT and Media facility or service including other services is returned.

Section 30

There shall be ~~aan~~ **an autonomous** regulatory authority called the Bhutan InfoComm and Media Authority to carry out responsibilities entrusted under this Act.

Section 31

The Authority, ~~served~~ **assisted** by a Secretariat shall be vested with the decision-making and oversight responsibilities ~~of the Authority, and the Authority~~ shall comprise of:

- (1) **Secretary of Ministry of Information and Communication as a Chairperson;**
- (2) **One Member representing Ministry of Home and Cultural Affairs**
- (3) **One member representing Ministry of Economic Affairs**
- (4) **One nominee from Media/Film Industry**

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5) One nominee from ICT Industry

6) Head of the Secretariat as a Member Secretary

Section 32

A person shall be qualified for appointment as a Member of the Authority, if the person:

- (1) Is a citizen of Bhutan;
- (2) Possess a formal university degree in the field of information and communications technology, telecommunications, media, law, finance, public policy or administration; and
- (3) Has at least ten years of work experience.

Section 33

The Chairperson shall be a senior civil servant, appointed by the Cabinet upon recommendation of the Ministry.

Section 34

The three Members under section 31 (2) of this Act shall be appointed by the Minister, upon approval of the Cabinet, from a list of names recommended by the Ministry.

Section 35

The Member under section 31 (3) of this Act shall be appointed by the Minister upon receipt of nomination from **the respective agencies**. an organization representing the Media sector or ICT sector.

Section 36

The appointing authority under sections 33, 34 and 35 of this Act, before appointing a person as a Member shall, ensure that the nominee does not have any financial or other interests which are likely to affect the capacity to function as a Member or is not under any legal incapacity.

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Section 37

The ~~Chairperson and the~~ Members of the Authority shall be appointed as non-executive Members for a period of ~~three~~**five** years.

Section 38

The ~~Chairperson and~~ Members of the Authority ~~under section 37 of this Act~~ may be eligible for re-appointment for a maximum of one additional term.

Section 39

Resignation of ~~Chairperson and~~ Members

The ~~Chairperson~~**Members** of the Authority may at any time resign from office by giving notice in writing to the ~~Cabinet~~**Chairperson**, while a ~~Member of the Authority may at any time resign from office by giving notice in writing to the Minister.~~

Section 41

The ~~Chairperson or a~~ **A** Member of the Authority shall be removed from the Membership, if he or she has:

- (1) Been adjudged insolvent;
- (2) Become physically or mentally incapable of acting as a member;
- (3) Been convicted of any offence that involves moral turpitude;
- (4) ~~Acquired financial or other interest as is likely to present a conflict of interest with the capacity to function as a Member; or~~
- (5) Abused the position so as to render continuance in office prejudicial to the public interest.

Section 42

A ~~Chairperson or a~~ Member of the Authority shall not be removed from office under section 41 ~~(4) and~~ (5) of this Act, unless the Member has been given a reasonable opportunity of being heard on the matter.

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Section 43

If the post of a ~~Chairperson or~~ Member of the Authority becomes vacant, it shall be filled as soon as practicable.

Section 44

~~In the event of the said post remaining vacant due to removal, death or other reasons under section 41 of this Act, the Minister shall appoint the interim chairperson from the Members of the Authority.~~

Section 45

~~Where fresh appointments are due to be made as a result of any of the existing Members reaching the end of their term, the Minister shall take necessary steps to ensure that new Members are identified at least three months in advance of the date on which the existing Members of the Authority will cease to hold office or that suitable actions are taken to renew the term in accordance with sections 37 and 38 of this Act.~~

Section 48

~~In discharging its functions and enforcing its authority under this Act, the Authority shall:~~

- ~~(1) Exercise complete regulatory independence and not receive instructions relating to the exercise of its functions from any Government official or public or private entity, provided that the Authority shall participate in discussions, consultations and collaborate with the government agencies on issues affecting the ICT and media sectors as and when required to do so;~~
- ~~(2) Determine its staffing and recruitment plan for consideration by the Royal Civil Service Commission; and~~
- ~~(3) Exercise its powers and performance of its function to achieve the objectives of this Act.~~

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Section 50

The Authority shall meet at least four times in a year at such time, and place as prescribed in the Rules and Regulations to be adopted by the Authority, and optimize every such meeting by consolidating the agenda items.

The meetings of the Authority shall be chaired by the Deputy Chairperson elected amongst the Members in absence of the Chairperson.

Section 54

There shall be a permanent Secretariat to the Authority headed by a ~~Director/Director General~~ **an Executive level Officer appointed by the Royal Civil Service Commission.**

Section 55

The Service Conditions of the employees of the Secretariat shall be governed by the Civil Service Act of Bhutan.

Section 56

~~The Director/Director General of the Authority shall be appointed by the Royal Civil Service Commission.~~

Section 57

~~The Director/Director General~~ **head of the Secretariat** shall be the legal representative of the Authority, vested with powers of general superintendence and direction in the conduct of the affairs of the Secretariat. ~~and shall, among others:~~

- ~~(1) Serve as the Member Secretary of the Authority with voting rights;~~
- ~~(2) Maintain and preserve documents including records of meetings of the Authority;~~
- ~~(3) Execute resolutions of the Authority;~~

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- ~~(4) Organise administrative activities of the Authority;~~
- ~~(5) Be responsible for day to day functioning of the Secretariat;~~
- ~~(6) Guide, supervise and advise the employees of the Secretariat at all levels;~~
- ~~(7) Exercise powers and perform functions assigned under this Act; and~~
- ~~(8) Carry out such functions as the Authority may assign.~~

Section 58

~~All activities of the Authority shall be financed through budgetary grants from the Ministry of Finance;~~

Section 59

Retain the Original Section in the Bill

Section 61

~~The Authority shall adopt Rules and Code of Conduct for the efficient functioning of the Authority.~~

Section 62

~~The Authority shall implement the provisions of this Act, Rules and Regulations covered by this Act.~~

Section 63

~~The Authority shall study and keep under constant review trends in development of ICT and Media sectors within and outside Bhutan.~~

Section 64

~~The Authority shall, when directed by the Ministry, give information and advice on any matter falling within its competence or statutory responsibilities, including advice on:~~

- ~~(1) ICT and Media policies;~~

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- ~~(2) Bhutan's positions and policies relating to ICT and Media matters at the international, regional and national levels; and~~
- ~~(3) The establishment of technical standards and rules applicable to ICT and Media facilities and services.~~

Section 65

~~In accordance with the general mandate laid down in sections 61 to 64 of this Act,~~ The Authority's principal functions shall be to:

- ~~(1) Grant licenses, certificates and permits, and regulate ICT and Media facilities and services including places of entertainment that are based on ICT and Media facilities and services and enforce license conditions;~~
- ~~(2) Ensure that licensees, permit-holders and other users of the radio equipment or devices comply with requirements laid down by relevant international, regional or national organizations in respect of equipment and technical standards and environmental health and safety standards, including electromagnetic radiation and emissions;~~
- ~~(3) Prescribe, regulate and monitor compliance with national codes and standards, international or other obligations entered into by the Government in relation to ICT and Media matters;~~
- ~~(4) Regulate interconnection or sharing of infrastructure and facilities between or among ICT facility providers;~~
- ~~(5) Maintain and promote competition and take action to prohibit, prevent and bring to amend any abuse of market power or anticompetitive behavior within the ICT and Media industry;~~
- ~~(6) Ensure interoperability and efficient use of ICT and Media facilities and services;~~
- ~~(7) Ensure that licensees and permit-holders are able to carry out their obligations to provide services free of undue delay, hindrance or impediment;~~

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- (8) Ensure the proper maintenance of accounting systems by the public ICT providers and media services providers;
- (9) Assign spectrum consistent with the spectrum policy and plan;
- (10) Plan, administer, manage and assign numbering for ICT services;
- (11) Protect consumers of ICT and Media services, among others, the rates charged for, and the quality and variety of ICT services provided;
- (12) Provide an effective, efficient and affordable mechanism for the investigation and resolution of complaints;
- (13) Promote technological innovation in the ICT and Media sectors;
- (14) Plan and manage universal service plans and the Universal Service Fund pertaining to the ICT facilities and services based on policy directives issued by the Ministry;
- (15) **Create a conducive environment by setting standards for Bhutan to develop** competitive and dynamic ICT services market; and
- (16) Ensure universal access to all ICT services at affordable rates.
- (17) **Adopt Rules and Code of Conduct for the efficient functioning of the Authority.**
- (18) **Conduct periodic circulation audit of print media firms**

Section 66

The Authority shall be authorized to:

- (1) Determine the categories of licenses to be issued and to classify types of ICT and Media facilities and services and radio communication services including application services in line with the policies issued by the Ministry;
- (2) Collect data and any other related statistical information for the proper discharge of its functions and responsibilities;
- (3) Determine tariff, rates, fees and charges for licensed services including fees for the usage of spectrum in accordance with the policy directives issued by the Ministry;

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- (4) Designate licensees as universal service providers;
- (5) Collect fees including license fees, and any other charges levied or imposed as fines and penalties under this Act or rules and regulations made thereunder;
- ~~(6) Establish advisory or specialised bodies as it sees fit for the purpose of advising the Authority on any matter pertaining to the exercise, performance and discharge of its duties, functions and powers under this Act;~~
- ~~(7) Issue and enforce overall codes and standards for governing guidelines and codes of practice governing the ICT and Media sectors;~~
- (8) Recover the cost incurred by the Authority for the regulatory activities undertaken in relation to the ICT and Media activities whilst ensuring that any fees or charges levied or imposed are reasonable having regard to the purpose for which they are levied or imposed; and
- ~~(9) Perform all or any powers in furtherance of the objects of this Act, or such as may be prescribed by the Rules and Regulations.~~

Section 70

~~The Authority may establish for a specified period, ad-hoc advisory or specialised bodies as it deems fit consisting in each case of Members as it may from time to time appoint or invite technical experts or specialised persons to participate in the Authority meeting but such persons shall not be considered as Members of the Authority.~~

Section 71

~~An advisory or specialised body shall advise the Authority on any matter:~~

- ~~(1) In respect of which any of the Authority's functions is exercisable;~~
and
- ~~(2) Which is referred to it by the Authority.~~

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Section 72

~~The Authority may, as soon as practicable, publish copies of reports or other documents submitted by such advisory or specialised body.~~

Section 73

~~The remuneration and other allowances payable to an Advisory body or special invitee shall be as prescribed in the Rules and Regulations by the Authority.~~

Section 78

~~The Authority may, for carrying out effectively and efficiently all its functions and responsibilities under this Act, may develop and approve Rules and Regulations consistent with this Act.~~

Section 82

~~The Authority shall develop Rules and Regulations for the purpose of sections 78 to 81 of this Act in accordance with the process and requirements prescribed under the Act taking into consideration the;~~

- ~~(1) Interests of the sovereignty, security, unity and integrity of Bhutan;~~
- ~~(2) Interest of peace and well-being of the nation;~~
- ~~(3) Interests of friendly relations with foreign States; or~~
- ~~(4) Objects and other provisions of this Act are not contravened.~~

(Inserted under Section 510 with few changes)

Section 83

The Authority shall submit an annual report to the minister on its activities during that year.

Section 84

Every such report shall include:

- (1) A general survey of developments during the year to which it relates;**

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~~in respect of matters falling within the scope of the Authority's functions;~~

- ~~(2) A statement detailing the Authority's financial performance, including income, expenditure, assets and liabilities including the status on the implementation of the Universal Service Funds;~~
- ~~(3) A summary of the issues taken up by any ad hoc advisory bodies during that year; and~~
- ~~(4) Such other information as may be required by the Ministry.~~

Section 89

~~The Authority shall maintain a register of Rules and Regulations, directives, licenses and permits granted, codes of practice and sets of guidelines and notices issued, and agreements registered with it in such form as it may determine;~~

~~Provided that, if it appears to the Authority that the entry of any information in the register would be against the commercial interests of any person, it shall not record such information in the register.~~

Section 90

~~The Authority shall update register and make it accessible for public inspection during normal working hours.~~

Section 91

~~A person may, on payment of fee as may be prescribed by an order, request the Authority to provide a copy of or extract from any part of the register duly certified by the Authority to be a true copy or extract.~~

Section 94

~~A party not satisfied or aggrieved by the decision or orders of the Authority, may appeal to the Bhutan Information, Communication and Media Appellate Tribunal~~ **Alternative Dispute Resolution Center** ~~constituted under this Act~~ within ten **working** days.

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Section 98

The Royal Audit Authority shall carry out ~~annual~~ auditing of the Authority ~~including performance audit~~ in accordance with the Audit Act of Bhutan ~~and rules and regulations made there-under.~~

Section 99

The Ministry shall establish an independent body, ~~to be called the Media Council~~ **supported by a Secretariat**, to:

- 1. Promote and protect freedom and independence of the media;**
- 2. Serve as a standard setting body to promote and enhance ethical and professional standards amongst journalists and media enterprises for media practitioners.**
- 3. Accredite and certify the Journalists practicing in Bhutan.**
- 4. Regulate or curtail any harmful, offensive, illegal or antithetical content on the internet and other ICT and Media services, unless otherwise provided under specific provisions in this Act.**
- 5. Set standards and guidelines in accordance with the overall media related codes and standards set by Bhutan InfoComm and Media Authority.**
- 6. Hear the complaint and settle the dispute in relation to offences of content not amounting to criminal offences which are prescribed under the Rules and Regulations.**
 - 6.1 A party aggrieved by the decision of the Media Council may file an appeal to the Alternative Dispute Resolution Centre.**
- 7. Provide recommendations on matters affecting the media sectors to the Ministry and Regulatory Authority.**
- 8. Ensure objective and fair treatment of any person by the media;**
- 9. Protect general public and more specifically vulnerable sections of the population such as children and young persons from undesirable influences of all Media services;**

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10. Frame Rules and Regulations on matters relating to the Media Council.

New Section after Section 99

The Secretariat to the Media Council

- 1. There shall be permanent secretariat to the Media Council headed by an Executive level officer appointed by Royal Civil Service Commission.**
- 2. The head of the Secretariat shall serve as:**
 - a) the member secretary to the Council; and**
 - b) the legal representative of the Council and implement the decisions of the Council.**

Section 100

The Minister shall appoint the Members of the Media Council comprising of;

- (1) One nominee representing Journalists organization.**
- (2) One nominee representing proprietors of Media firms.**
- (3) One representative from Bhutan Media Foundation.**
- (4) One representative from BICMA Secretariat.**
- (5) One representative from the Ministry of Information and Communications.**
- (6) Head of the Secretariat as a Member Secretary**

Section 101

The nominees under section 100 of this Act shall:

- 1) Be a citizen of Bhutan;**
- 2) Not be a **registered** member or an employee of a political party;**
- 3) Not be convicted for any criminal offence and sentenced to imprisonment; or**
- 4) Not be adjudged insolvent and has not been discharged.**

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Section 103

The Members of the Media Council shall hold office for a period of ~~three~~ **five** years, and may be re-appointed for an additional of one term.

Section 104

A member of the Media Council may resign from office by giving **one month** notice thereof in writing to the Chairperson.

Provided that in the case of the Chairperson such notice shall be addressed to the ~~Ministry~~ **Minister**.

Section 105

A member of the Media Council may be removed by the Minister **upon the recommendation of the Council**, if he or she:

- (1) Is adjudged insolvent;
- (2) Becomes physically or mentally incapable of acting as a member;
- (3) Is convicted of any offence and sentenced to imprisonment;
- (4) ~~Acquires financial or other interest as is likely to affect prejudicially the capacity to functions as a member;~~ or
- (5) Abuses the position as to render continuance in office prejudicial to the public interest.

New Section after Section 106

Meetings of the Media Council

The Media Council shall meet at least four times in a year at such time, and place as prescribed in the Rules and Regulations to be adopted by the Media Council, and optimize every such meeting by consolidating the agenda items.

The meetings of the Media Council shall be chaired by the Deputy Chairperson elected amongst the Members in absence of the Chairperson.

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Section 107

~~The funds of the Media Council shall consist of:~~

- ~~1) Grants from the government;~~
- ~~2) Fees and other charges paid for services rendered by the Media Council; and~~
- ~~3) Grants, gifts and donations from other neutral sources~~

The Media Council shall be adequately funded by the Government.

Section 108

~~The Media Council shall be authorised to use funds collected by it and use it for the purpose of its functioning and must keep proper books of accounts and other records of accounts of the income, expenditure, assets and liabilities:~~

Section 110

~~Upon approval of the Government, the Ministry shall specify in the Rules and Regulations:~~

- ~~(1) Remuneration to be paid to the secretariat of the Media Council;~~
- ~~(2) Sitting fees to the Members of the Media Council;~~
- ~~(3) Other matters relating to the functioning of the Media Council~~

Section 111

~~For the purpose of this Chapter, “Rules and Regulations” shall be developed by the Media Council and approved by the Ministry.~~

Section 112

~~Any person aggrieved by the decision of Media Council shall within ten working days appeal to the Appellate Tribunal constituted under this Act.~~

CHAPTER FIVE:

BHUTAN INFORMATION, COMMUNICATION AND MEDIA APPELLATE TRIBUNAL

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Sections 113-121

Delete whole chapter

NEW CHAPTER: FIVE

LICENSING OF PLACES OF ENTERTAINMENTS

Section 113

- (1) Ministry of Economic Affairs shall be the licensing authority for the establishment of places of entertainments.**
- (2) places of entertainment shall include movie halls, dance halls, discotheques, music halls, gaming parlours, public houses, bars equipped with facilities for live or recorded music, *Drayangs*, *Luyangs*, hospitality lounges, video/computer gaming arcades, circuses, magic shows, fetes, concerts, fairs, carnivals, wrestling bouts, sporting events, bingo halls and any other similar forms of entertainments.**
- (3) Location clearance to be obtained from respective Thromdes/Dzongkhags/Local government authorities.**
- (4) There shall be established Entertainment licensing Committee (ELC) at Dzongkhag/Thromde to review, recommend the applications for entertainment establishment centers in Dzongkhag/Thromde respectively.**
- (5) 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.**
- (6) The license issued for the places of entertainment shall be a location based. In the event, if the licensee intends to change the location of his establishment, the licensee shall have to obtain location clearance from their respective ELC and then submit to the Licensing Authority.**

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- (7) The license shall not be leased out under any condition. However, transfer of licence shall be approved by the Authority on a case by case basis.**
- (8) No individual shall be issued a license for simultaneously operating more than one entertainment establishment center.**
- (9) The specific technical standards for places of entertainment shall be as prescribed under Rules and Regulation.**
- (10) The licence shall be valid for a period of one year and shall be renewed annually.**
- (11) The Licensing Authority shall either renew or deny renewal of the application based on the recommendation of the Entertainment Licensing Committee.**
- (12) The obligation of the license and penalties shall be prescribed in rules and regulation.**
- (13) All places of entertainment shall ensure the safety of its clients as well as the hygiene of the establishment.**
- (14) While determining location, the ELC shall ensure that the proposed establishment shall be;**
 - a) Outside the radius of 400 meters from the designated institutional places like Monasteries, Dzongs, Government offices, hospital, educational institutes and rehabilitation centers, OR**
 - b) Within the demarcated Thromde boundary; and**
 - c) Within permanent structure certified by the ELC for the proposed purpose.**
- (15) The form and manner of application for a licence, duration of a license, terms and conditions for the issuance of a licence, and any fees payable for it, shall be as prescribed in the Rules and Regulations.**

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(16)The Licencing Authority must include community clearances as part of requirement for any entertainment establishment.

Section 132

Granting of Licenses

The Authority shall not grant ICT and Media Services Licenses to a political party and others not fulfilling conditions prescribed in the Rules and Regulation. ~~A person shall not be eligible for an ICT and Media facilities and services license, if such person:~~

- ~~(1) Is a political party;~~
- ~~(2) Is adjudged insolvent or has entered into a composition or scheme of arrangement with the creditors;~~
- ~~(3) Is of unsound mind; or~~
- ~~(4) Does not fulfil other conditions prescribed in the Rules and Regulations.~~

Section 136

The Procedure for the grant and renewal of a License shall be as laid down in the Rules and Regulations.

~~A person who applies for a license or requests renewal under this Act shall comply with the procedure established by the Authority under this Act.~~

Section 137

~~The Authority shall, before granting a license under this Act, take into account whether the:~~

- ~~(1) Applicant possesses, or has ready access to, the technical expertise necessary to fully perform the obligations;~~
- ~~(2) Applicant is a fit and proper person as defined under this Act; and~~
- ~~(3) Granting of licenses conform to the objectives of this Act.~~

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Section 141

Where the Authority has reasonable grounds not to renew a license, it shall inform the licensee in writing within ~~a reasonable time~~**10 working days** of its intention not to renew the license.

Section 144

If aggrieved by the decision under section 143 of this Act, the licensee may appeal **either to the Ministry or Appellate Tribunal the Alternative Dispute Resolution Centre** within ten working days of the receipt of a copy of the decision.

Section 149

If aggrieved by the decision under section 148 of this Act, the licensee may appeal to the ~~Appellate Tribunal~~**Alternative Dispute Resolution Centre** within ten days of receipt of the decision.

Section 153

A person having objection against the transfer shall show cause against the transfer within one month of issuance of such public notice **to the Authority.**

Section 166

~~The Authority shall develop Rules and Regulations to ensure enforcement of license terms and conditions and procedures for suspension and revocation of license.~~

Section 173

~~The Authority shall, by Rules and Regulations, make provision for the regulation of interconnection which inter alia includes agreements, resolution of pre-contractual or other disputes relating to interconnection and the costs of interconnection.~~

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Section 179

A person shall not receive on behalf of, or for the purposes of, any ICT or Media facility or services in Bhutan any donation, benefits in kind, or loans from a foreign source.

~~Provided that~~ **However**, the loans for bona fide commercial purpose may be raised in accordance with the laws in force in Bhutan with the prior approval of the Minister.

Section 188

In taking any action under section 187 of this Act, the ICT and Media facility provider shall:

- (1) Comply with environmental policy of the government and relevant laws;
- (2) Consult with and seek prior agreement from local authorities, utility service providers, owner and other parties who may be affected by the planned installation of the facilities;
- ~~(3) Minimize damage in the installation of the facilities~~ **Ensure minimum damages or disruption to the property owners in installation of the facilities and make fair compensation for the damages or disruption, if any;**
- (4) Restore without unreasonable delay any damage caused during the installation of the facilities and leave the land in a condition reasonably similar to the one that existed before the installation of the facilities; and
- (5) Act in good faith.

Section 248

A publishing license shall be refused, if:

- (1) It poses a threat to the sovereignty, security and harmony of the kingdom of Bhutan ~~or a threat to the interests of peace, stability and well-being of the nation~~; or

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(2) It violates **any other** conditions as may be prescribed in the Rules and Regulations.

Section 260

~~A police officer or a customs officer~~ **Any officials representing law enforcement agency** may, after procuring a **court warrant**, seize any book or newspaper found in the possession of any person which the police officer or the customs officer has reasonable cause to believe has been printed, published, sold or distributed or is intended to be published, sold or distributed in contravention of the provisions of this Act.

Section 262

~~The Authority~~ **The Media Council** shall operate a scheme of accreditation under which journalists holding Bhutanese nationality and working for Bhutanese newspapers or other media organisations shall apply for such status in the prescribed form.

Section 263

~~The Authority~~ **The Media Council** shall operate a scheme of accreditation under which journalists holding Bhutanese nationality and working for foreign media organisations shall apply for such status in the prescribed form.

Section 264

The conditions, privileges and procedure for application and the criteria for the grant of accreditation shall be specified in Rules and Regulations made by the **Media Council Authority**.

Section 265

Applications for accreditation shall be dealt expeditiously by the ~~Authority~~ **Media Council** and where an application for accreditation is refused; the

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~~Authority~~ **Media Council** shall state the reasons for refusal in writing and communicate the reasons to the applicant as soon as possible.

Section 266

Where a foreign journalist intends to be accredited by the ~~Authority~~ **Media Council**, the journalist may apply for ‘ad hoc accreditation’ with or without conditions, in accordance with the procedure prescribed for this purpose in Rules and Regulations.

Section 267

All applications for ad hoc accreditation shall be dealt expeditiously by the ~~Authority~~ **Media Council** and shall, within thirty days of receipt of an application, inform the applicant whether the application is accepted or refused.

Section 268

If the journalist breaches any of the conditions of accreditation, or where the ~~Authority~~ **Media Council** is satisfied that the continued holding by the journalist of such accreditation is against the public interest, the ~~Authority~~ **Media Council** may, by an order in writing, revoke the accreditation.

Section 269

Revocation of accreditation under section 268 shall be effective as soon as the order is served to the journalist **by the Media Council** or where it is not possible or practicable to serve such notice, as soon as a copy of it is delivered to, or affixed upon, the address stated in the application for accreditation.

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Section 270

National Film Commission

The Minister shall establish the **National Film Commission supported by a permanent secretariat** ~~responsible for the promotion, development and providing support to the audio-visual and film industry in the country.~~

New section:

The Members of National Film Commission shall comprise of:

- 1. Two Members nominated by the board of Film Association of Bhutan.**
- 2. One representative from Bhutan Info Comm and Media Authority**
- 3. One representative from the Ministry of Information and Communications**
- 4. One representative from Ministry of Home and Cultural Affairs**
- 5. Head of the Secretariat as a Member Secretary**

Section 271

Functions of National Film Commission (new heading)

The functions of the National Film Commission shall be to:

- 1. Provide necessary professional supports to film production firms including training and capacity development.**
- 2. Provide film grants through a dedicated film development fund for meaningful mainstream films, art film and other non commercial films.**
- 3. Participate in international festivals to promote Bhutanese films, scripts for co-productions, and locations.**
- 4. Facilitate FAB in organizing film awards and festivals to recognize films of excellence and to promote film culture;**
- 5. Setup and Maintain Cinematheques or Art house theatre to provide screening platforms for art films and other commercial films in the country, especially in rural areas.**

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- 6. Maintain national film archives, film location data base, films crew database, and integrated box office data base.**
- 7. Grant filming permits to both local and foreign productions as per the prescribed rules and regulations**
- 8. Rate and Certify both local and foreign films as per the guidelines developed by Commission**
- 9. Encourage and provide support for the research and development of a Bhutanese film form.**
- 10. Promote Co-production with International investors**
- 11. Promote and support theatrical performances in all sections of society.**
- 12. Provide recommendations on matters relating to Audio visual and other entertainments.**
- 13. Promote distributors in Films within and outside country.**
- 14. Form review Committee for film, music, song and audiovisual.**

Section 272

The Government shall ensure National Film Commission is adequately financed to enable it to exercise its functions and discharge its responsibilities as provided under this Act.

- ~~(1) Government support~~
- ~~(2) Royalties/ filming permit fees from the films;~~
- ~~(3) Review and Certification fees;~~
- ~~(4) International donors and agencies;~~
- ~~(5) Film and entertainment tax levied on or within the film industry;~~
- ~~(6) Payment for professional services rendered to international film productions;~~
- ~~(7) Payment for rental of film studio and film equipment; and~~
- ~~(8) Other fees collected by the Film Commission as may be approved by~~
- ~~(9) the Government from time to time.~~

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New section:

- 1. The rates of fees and charges shall be approved and levied by the National Film Commission in accordance with the relevant laws.**
- 2. All fees, charges and royalties collected by the film commission shall be deposited in the Government revenue Account.**

Section 273

~~In addition to Section 272, the government shall ensure, as far as practicable, that the Film Commission is adequately financed to enable it to exercise its functions and discharge its responsibilities as provided under this Act.~~

Section 274

~~The Film Commission shall be constituted with five Members appointed by the Cabinet upon recommendation by the Ministry from amongst people who are knowledgeable in the field of film, media or people from relevant background.~~

Section 275

The Members of the National Film Commission shall

1. Be a citizen of Bhutan
2. Not be convicted for any criminal offence and sentenced to imprisonment;
3. Not be a registered member or an employee of a political party
4. Not be adjudged insolvent and has not been discharged.

Section 276

The Members of the National Film Commission shall hold office for period of ~~three~~ **Five** years and may be reappointed for one additional term.

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Section 280

A member of the **National** Film Commission shall be removed by the **Cabinet Minister upon the recommendation of the Commission**, if he/she:

1. Is adjudged insolvent
2. Becomes physically and mentally Incapable of acting as a member,
3. Is convicted of any offence and sentence to imprisonment; **or**
4. ~~Acquires financial or other interest as is likely to affect prejudicially the capacity to function as a member; or~~
5. Abuses the position as to render continuance in office prejudicial to the public interest.

Section 281

Where a vacancy occurs in the Membership of the **National** Film Commission, ~~the appointment procedure under sections 274, 275 and 276 of this Act~~ Minister shall appoint the new member as early as practicable.

New Section after Section 281

Meetings of the National Film Commission

The National Film Commission shall meet at least four times in a year at such time, and place as prescribed in the Rules and Regulations to be adopted by the National Film Commission, and optimize every such meeting by consolidating the agenda items.

The meetings of the National Film Commission shall be chaired by the Deputy Chairperson elected amongst the Members in absence of the Chairperson

Section 284

The Secretariat to the National Film Commission

There shall be established a secretariat of the **National** Film Commission

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headed by an Executive level officer who shall be the legal representative of the Commission.

Section 285

The Executive and other employees of the **National** Film Commission shall be appointed by the Royal Civil Service Commission.

Section 286

For the purpose of this Chapter, the Rules and Regulations shall be developed by the ~~Film~~ Commission and approved by the Ministry.

Section 289

The Film Commission shall manage the Film Development Fund in accordance with its Rules and Regulations. ~~approved by the Minister.~~

Section 290

There shall be Film Development Fund, which shall be managed directly by National Film Commission.

Section 291

The producer, owner or importer of every film which is intended for public exhibition by any mode of ICT or media within Bhutan shall submit a copy of the film for examination by the Film Commission in such manner and in such format as may be prescribed in the Rules and Regulations ~~approved by the Minister.~~

Section 292

The National Film Commission shall certify the films for public viewing based on the guidelines developed by the commission.

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Section 296

~~A film intended for public exhibition shall not be advertised to the general public through any medium before the grant of a certificate by the Film Commission.~~

Section 299

Where the Film Commission is satisfied, either on receipt of a complaint from any member of the public or on its own motion, that any film which is publicly exhibited is likely to be detrimental to the public interest or the interests of public order in any area, may, in writing, order the suspension of the screening of the film in that area, **both within and outside Bhutan** for such period as may be specified in the order.

Section 300

~~The effect of any order issued under section 299 of this Act shall be that the film named therein is deemed to be an uncertified film within the area in question.~~

Section 301

Any person who is aggrieved by the **decision** of the Film Commission may submit an appeal to **Alternative Dispute Resolution Centre within 10 working days.**

Section 302

~~Any appeal under section 301 of this Act shall be filed within ten working days from the date of receipt of the order.~~

Section 303

~~The Appellate Tribunal may pass such order as it thinks fit, confirming, modifying or reversing the decision of the Film Commission and may make further orders as to costs in relation to any appeal.~~

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Section 304

The **National** Film Commission shall require a person who submits a film for certification or shows to pay fees as may be prescribed in the Rules and Regulations.

Section 305

The **National** Film Commission may also charge such fees as it thinks fit for any other service rendered by it to any person under the provisions of this Act.

Section 313

Where a governmental agency performs any of the functions referred to in ~~section 210~~**section 312** of this Act, such agency may specify by notice the following requirements:

- (1) The manner and format in which the data messages must be filed, created, retained or issued;
- (2) In cases where the data message has to be signed, the type of electronic signature required; and
- (3) Any other requirements for data messages or payments.

Section 362

Quality of service

An ICT and Media facility and service provider shall make reasonable endeavour to ensure that their facilities and services are:

- (1) Reliable, **affordable and accessible**;
- (2) Provided with due care and professional skills; and
- (3) Rendered in accordance with the standards reasonably expected of a competent provider of those ICT and Media facilities and services.

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Section 434

A person who owns or operates any ICT and Media facility or services without a valid license shall be guilty for offence of misdemeanor. ~~and all facilities, apparatus, equipment, device, thing or matter used in the commissioning of the offence shall be liable for forfeiture.~~

Section 436

A person who keeps, maintains, operates, uses or knowingly allows to be used any place which provides ICT and Media facilities and services without a license shall be liable for offence of misdemeanor. ~~and shall be fined an amount as may be prescribed by the Authority in the Rules and Regulations made there under.~~

Section 437

A person involved in effecting any purported transfer of a license other than in accordance with section 150 of this Act, shall be ~~guilty of the offence and liable for~~ **petty misdemeanor** ~~fine as prescribed in Rules and Regulations developed by the Authority.~~

Section 440

Where a declaration is made under section 256 of this Act, any person who imports, sells or distributes, or possesses for sale, within Bhutan a copy of such book or newspaper shall be guilty of the offence of smuggling as per the Penal Code of Bhutan and **Goods shall liable for forfeiture.**

Section 446

A person who does not comply with the direction issued under sections 416 and 419 of this Act with regard to blocking for access by the public and monitoring suspicious traffic data based on court warrant, shall be guilty of an offence of **petty misdemeanour**. ~~liable to conviction of misdemeanour.~~

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Section 452

Retain the Original Section in the Bill

Section 454

A person who **knowingly** exhibits, or assists in the exhibition, or allows the use of the premises for the exhibition, of the film in respect of which an order under section 295 of this Act, has been made shall be guilty of the offence of breach of public order and **liable for petty misdemeanor** ~~tranquility as per the Penal Code of Bhutan.~~

Section 455

A person shall be liable for offence of **petty misdemeanor**, if he or she willfully disobeys the order under section 299 of this Act, by:

- (1) Organising or taking part in the performance prohibited or in any performance substantially similar to the performance prohibited;
- (2) Assisting in the staging of such performance;
- ~~(3) Remaining present as a spectator during the whole or part of such performance; or~~
- (4) Being the owner or occupier, or for the time being in control, of any premises, using it, or allowing it to be used, for any such performance.

Section 465

If a person knowingly communicates, directly or indirectly **through** a number, code, password or other means of access to a computer to any person other than a person to whom that person is duly authorised to communicate shall be liable for offence of misdemeanour and may be required to pay compensation to the victim for the damage caused, as determined by the Court.

Annexure XIII**Section 466**

A person, who knowingly publishes, distributes or transmits or causes to be published, distributed or transmitted, by means of an ICT apparatus, facility, service or system, any obscene communication or material shall be liable for offence of ~~felony of fourth degree~~ **misdemeanour**, and be liable to pay compensation to the victim for the damage caused, as determined by the Court.

Section 467

If a person with the intent or knowledge permits the ICT apparatus, facility, service or system under the person's control to be used for publishing, distributing or transmitting or caused to be published, distributed or transmitted any obscene communication or material **shall be liable for an offence of abetting as per the Penal Code of Bhutan.** seen to have abetted such an offence and shall be liable as per the Penal Code of Bhutan.

Section 469

A person shall be liable for offence of felony of ~~third~~ **fourth** degree, if he or she:

- (1) Publishes, distributes or transmits or causes to be published, distributed or transmitted any obscene communication or material which depicts children engaged in sexually explicit act or conduct;
- (2) Creates text or digital images, collects, seeks, browses, downloads, advertises, promotes, exchanges or distributes material in any form depicting children in obscene or indecent or sexually explicit manner;
- (3) ~~Facilitates abusing children using any ICT facilities or services;~~ or
- (4) Records in any form, own abuse, or that of others pertaining to sexually explicit act with children.

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Section 475

~~A person who knowingly engages in betting or wagering with the use of an ICT facility or ICT service shall be guilty of the offence of gambling under the Penal Code of Bhutan.~~

PROHIBITION OF ONLINE GAMBLING

- (1) A person shall be guilty of the offence of gambling if he knowingly engages in betting or wagering with the use of an ICT facility or ICT service.
- (2) An online gambler and Internet service provider, if involved in any activity related to betting or wagering, shall fall within the purview of Sub-section (1) and the term “betting or wagering” encompasses the offering of prizes in lieu of money.
- (3) In addition to the penalties prescribed by the Penal Code for this offence, an additional fine may be imposed as deemed appropriate by the Court.
- (4) This Section shall not affect the possibility for a Court or the Authority of requiring the ICT facility or ICT service provider and the Internet service provider to terminate or prevent an infringement.
- (5) ~~This Section shall not apply to any betting or wagering activity approved or licensed by the Government.~~

New Section after Section 475

The Section 475 shall not apply to any betting, wagering or gaming activity owned by the State.

Section 478

Retain the Original Section in the Bill

Section 479

Retain the Original Section in the Bill

Annexure XIII**Section 481**

A person engaged in the operation of a public ICT system who, otherwise than in the course of duty under this Act intentionally discloses to any person the contents of any statement of account specifying the ICT services provided for any other person by means of that system shall be liable for offence of **Petty misdemeanour**, and may be required to pay compensation to the victim for the damage caused, as determined by the Court.

Section 482

Any person who by means of a public ICT system, sends or attempts to send, any message which, to the person's knowledge, is false or misleading with the intent to prejudice the efficiency of any emergency services, cause alarm or endanger the safety of any person or of any vehicle, vessel, aircraft, or spacecraft shall be guilty of an offence ~~and liable for offence of felony of fourth degree, or impose a fine as may be determined by the court or with both.~~

Section 483

Retain the Original Section in the Bill

Section 486

Retain the Original Section in the Bill

Section 489

~~Where any provision of this Act, Rules and Regulations specifies the class of crime for an offence, the person shall be liable to punishment in accordance with the provisions of this Act as well as any additional penalty which may be imposed by a Court in accordance with the Penal Code of Bhutan or any laws in force in Bhutan.~~

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Section 490

~~The Authority may impose reasonable penalty prescribed under the Rules and Regulations as endorsed by the Ministry for a particular offence which is not covered by this Act.~~

Section 491

~~In determining the amount of fine or penalty under this Act, the appropriateness of such fine or penalty to the gravity of the offence shall be considered and in the case of a continuing or repeat offence, the Authority may prescribe, in addition to such penalties, a fine of such amount for every day or part of a day during which the offence continues.~~

Section 500

~~The Authority shall take reasonable steps to deliver the property to its rightful owner. any person appearing to it to be its owner.~~

Section 508

~~A person aggrieved by the decision, order and or directives issued by the Tribunal, as the case may be, under this Act, may appeal before the High Court within ten working days.~~

Section 509

~~There shall be paid out of money provided by the Ministry of Finance administrative expenses incurred by the Ministry in consequence of the provisions of this Act and any increase attributable to this Act in the sums payable out of money provided under any other Act.~~

Section 510

Power to make Rules and Regulations

~~For the purpose of this Act, the Ministry in consultation with relevant~~

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~~government agencies, security institutions,~~ the Authority, Media Council, Film Commission, **in consultation with** representatives of business enterprises and consumers, and providers of ICT facilities and Services may develop and issue Rules and Regulations **taking into consideration the:**

- (1) Interests of the sovereignty, security, unity and integrity of Bhutan;**
- (2) Interest of peace and well-being of the nation; or**
- (3) Objects and other provisions of this Act are not contravened.**

Section 515

New Insertion after Definition 88

“State” means the Kingdom of Bhutan.

Annexure XIV**Annexure XIV: Voting list on the Re-deliberation of the Information, Communication and Media Bill of Bhutan 2017****Date: 05/12/2017****Time: 4:47:37****Voting: Passed Yes: 44 Abstain: 0 No: 0 Total present: 44**

1.	Dechen Zangmo	Delegate	Yes
2.	Tshering Tobgay	Delegate	Yes
3.	Madan Kumar Chhetri	Delegate	Yes
4.	Yeshey Dorji	Delegate	Yes
5.	Zanglay Drukpa	Delegate	Yes
6.	Khandu Wangchuk	Delegate	Yes
7.	Yeshey Zimba	Delegate	Yes
8.	Wangdi Norbu	Delegate	Yes
9.	Jigme Wangchuk	Delegate	Yes
10.	Pema Gyamtsho	Delegate	Yes
11.	Norbu Wangchuk	Delegate	Yes
12.	Dorji Wangdi	Delegate	Yes
13.	Nyeema Sangay Tshempo	Delegate	Yes
14.	Karma Tenzin	Delegate	Yes
15.	Ritu Raj Chhetri	Delegate	Yes
16.	Ngedup Zangpo	Delegate	Yes
17.	Dophu Drukpa	Delegate	Yes
18.	Pema Drukpa	Delegate	Yes
19.	Mingbo Drukpa	Delegate	Yes
20.	Kuenga	Delegate	Yes
21.	Sonam Dondup Dorji	Delegate	Yes
22.	Chimi Dorji	Delegate	Yes
23.	Gopal Gurung	Delegate	Yes
24.	Dawa Gyeltshen	Delegate	Yes

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25.	Tek Bdr Subba	Delegate	Yes
26.	Tandin Wangchuk	Delegate	Yes
27.	Tshering	Delegate	Yes
28.	Karma Dorji	Delegate	Yes
29.	Pelzang Wangchuk	Delegate	Yes
30.	Rinzin Dorji (Phuentsholing)	Delegate	Yes
31.	Dupthob	Delegate	Yes
32.	Lekey Dorji	Delegate	Yes
33.	Choida Jamtsho	Delegate	Yes
34.	Yogesh Tamang	Delegate	Yes
35.	Kelzang Wangmo	Delegate	Yes
36.	Dorji Choden	Delegate	Yes
37.	Rinzin Jamtsho	Delegate	Yes
38.	Tshewang Jurmi	Delegate	Yes
39.	Ugyen Wangdi	Delegate	Yes
40.	Karma Rangdrol	Delegate	Yes
41.	Damcho Dorji	Delegate	Yes
42.	Rinzin Dorji	Delegate	Yes
43.	Kinley Om	Delegate	Yes
44.	Novin Darlami	Delegate	Yes

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Annexure XV: Royal Kasho

The Royal Assent is hereby granted on the submission for the deliberation on the Annual Audit Report 2016, Review on the Annual Audit Report from 2009-2015, Review on the Performance Audit Report in the Joint Sitting of the Parliament on December 5 and 6, during the 10th Session of the Second Parliament. On 12th Day of the 10th Month of the Fire Female Bird Year.

DRUK GYALPO

Annexure XVI**Annexure XVI: Voting list on the Recommendations of the Public Accounts Committee(PAC)****Date: 6/12/2017****Time: 6:07:26 p.m.****Voting: Passed Yes: 59 Abstain: 2 No: 1 Total present: 62**

1.	Sonam Kinga	Delegate	Yes
2.	Dechen Zangmo	Delegate	Yes
3.	Tshering Tobgay	Delegate	Yes
4.	Madan Kumar Chhetri	Delegate	Yes
5.	Yeshey Dorji	Delegate	Yes
6.	Zanglay Drukpa	Delegate	Yes
7.	Nima	Delegate	Yes
8.	Khandu Wangchuk	Delegate	Yes
9.	Wangdi Norbu	Delegate	Yes
10.	Jigme Wangchuk (Radhi)	Delegate	Yes
11.	Pema Gyamtsho	Delegate	Abstain
12.	Norbu Wangchuk	Delegate	Yes
13.	Dorji Wangdi	Delegate	No
14.	Rinzin Dorji (Punakha)	Delegate	Yes
15.	Kesang C Dorji	Delegate	Yes
16.	Nyeema Sangay Tshempo	Delegate	Yes
17.	Karma Tenzin	Delegate	Yes
18.	Ritu Rai Chhetri	Delegate	Yes
19.	Jigme Wangchuk	Delegate	Yes
20.	Ngedup Zangpo	Delegate	No
21.	Jigme Rinzin	Delegate	Yes
22.	Pema Tenzin	Delegate	Yes
23.	Dophu Dukpa	Delegate	Yes
24.	Pema Drukpa	Delegate	Yes

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25.	Dhan Bdr Monger	Delegate	Yes
26.	Karma Tshering	Delegate	Yes
27.	Mingbo Dukpa	Delegate	Yes
28.	Kuenga	Delegate	Yes
29.	Tashi Dorji	Delegate	Yes
30.	Phuntsho Rabten	Delegate	Yes
31.	Sonam Dondup Dorji	Delegate	Yes
32.	Chimi Dorji	Delegate	Yes
33.	Gopal Gurung	Delegate	Yes
34.	Dawa Gyeltshen	Delegate	Yes
35.	Tandin Wangchuk	Delegate	Yes
36.	Tshering	Delegate	Yes
37.	Karma Dorji	Delegate	Yes
38.	Pelzang Wangchuk	Delegate	Yes
39.	Rinzin Dorji (P/ling)	Delegate	Yes
40.	Tempa Dorji	Delegate	Yes
41.	Dupthop	Delegate	Yes
42.	Sangay Khandu (Gasa)	Delegate	Abstain
43.	Lekey Dorji	Delegate	Yes
44.	Choida Jamtsho	Delegate	Yes
45.	Yogesh Tamang	Delegate	Yes
46.	Kezang Wangmo	Delegate	Yes
47.	Tharchen	Delegate	Yes
48.	Rinzin Jamtsho	Delegate	Yes
49.	Ugyen Wangdi	Delegate	Yes
50.	Tashi Phuntsho	Delegate	Yes
51.	Tshering Dorji	Delegate	Yes
52.	Pema Dakpa	Delegate	Yes
53.	Rinzin Dorji	Delegate	Yes
54.	Tashi Wangmo	Delegate	Yes

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55.	Namgay Dorji	Delegate	Yes
56.	Sonam Wangchuk	Delegate	Yes
57.	Kaka Tshering	Delegate	Yes
58.	Sonam Dorji	Delegate	Yes
59.	Kamal Bdr Gurung	Delegate	Yes
60.	Sangay Khandu (Samtse)	Delegate	Yes
61.	Kinley Om	Delegate	Yes
62.	Novin Darlami	Delegate	Yes

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Annexure XVII: Address of the Tshogpon Jigme Zangpo at the Closing Ceremony of the Tenth Session of Second Parliament of Bhutan on 8th December, 2017

1. The Tenth Session of Second Parliament concludes today on this auspicious day graced by the kind presence of our beloved His Majesty the Druk Gyalpo.
2. On behalf of the Members of Parliament, I would like to welcome and express gratitude to His Majesty the Druk Gyalpo for gracing the Closing Ceremony, leaving aside numerous Royal engagements. From the Golden Throne, His Majesty the Druk Gyalpo has bestowed invaluable words of wisdom on the foundation of our democratic system, peace and security and sovereignty of the country. Furthermore, His Majesty has showered us with His profound vision for happiness and well-being of the people, economic development of the nation and responsibility and accountability of each individual in the country.

I would also like to welcome Her Majesty the Gyaltsuen, Members of the Royal Family, representatives of the Central Monastic Body, foreign dignitaries, senior government officials and armed forces, and all the guests who have come to witness this occasion.

3. His Majesty the Druk Gyalpo has always worked tirelessly for the peace and security of the people, promoting economic development, and granting kidu to the needy people. Therefore, the Parliament would like to express utmost gratitude to His Majesty the Druk Gyalpo.

The Parliament would like to offer sincere gratitude to Her Majesty

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the Gyaltsuen, Their Majesty the Gyalyum, His Royal Highnesses and the Royal Family for taking various initiatives for the welfare of the country.

4. His Holiness the Je Khenpo has carried out numerous initiatives for the promotion of Buddha Dharma in the country, and accumulating merits for the Bhutanese people. Moreover, His Holiness had presided over the Moenlam Chenmo in Punakha, and performed numerous religious transmissions of Ka Choe Wang Sum in various Dzongkhags. Therefore, the Parliament would like to express gratitude to His Holiness the Je Khenpo.

Many Khentruels have been conducting numerous Kurims in the country for the peace and prosperity in the country. Therefore, the Parliament would like to offer gratitude to all Khentruels for the initiatives.

5. In an effort to ensure the security of the nation and continued peace for the people, three Armed Forces have been serving tirelessly across the nation. We would like to extend appreciation to all Armed Forces personnel in the country.
6. The Government has formulated Five Year Plan to realizing the community development in the country; in the ministries, agencies, dzongkhags and gewogs. In addition, fifty two Non-Governmental Organizations (NGOs) were registered which have also helped in the development of community to a great extent. For example, the Tarayana Foundation, Youth Development Fund, Bhutan Kidney Foundation, Loden Foundation, Clean Bhutan, Bhutan Toilet Organization, RENEW, Bhutan Media Foundation had been

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benefiting the community in big ways by improving skills and also generating employment opportunities for thousand of youths. Hence, the Parliament would like to express admiration to all registered NGOs for playing complementary roles in the unreached rural areas.

7. For kind information of the people of Bhutan, Members of the National Council and the National Assembly as entrusted representatives of the people indeed worked together harmoniously for last five years under the guidance of His Majesty the Druk Gyalpo. It was our collective merits of the past deeds to have availed this opportunity to serve Tsa-Wa-Sum together as Members of this apex legislative body.

I would also like to inform the House that as the continuous House of Review, the term of the Members of the National Council will be over by 9th May 2018 and reconstituted on 10th May 2018.

The Chairperson and Members of the National Council served with full dedication and most diligently carried out legislative and review functions in accordance with the provisions of the Constitution of the Kingdom of Bhutan.

The Two Houses held ten fruitful sessions sharing high level of mutual respect and cooperation. The sessions were successful due to the extensive review of policies and legislations by the National Council. On behalf of the National Assembly, we would like to extend deep appreciation to the Chairperson and Members of the National Council. We would also like to extend our good wishes for the Members aspiring for the next election and for further successful endeavors in times to come. We are also hopeful that the Members would continue to serve Tsa-Wa-Sum as exemplary leaders in the

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community having attained immense experiences as Members of esteemed Parliament.

8. As part of the annual Parliamentary program of the National Assembly, I have led a Parliamentary delegation comprising of cabinet ministers and Members of the National Assembly to Phuentsholing from 1 - 3rd December, 2017 to oversee the status of various industrial entities in Pasakha, Mini Dry Port construction, special housing project and auction yard in Phuentsholing.

During the visit, the delegation met with proprietors and employees of the industries. It was learnt that as per the vision of His Majesty the Druk Gyalpo, the government had established industries in 1986 with a budget of Nu. 2.6 billion to boost economic development, promote self sufficiency and generate job opportunities. Widening of access roads and construction of bridges in Pasakha are being contracted out. The annual revenue accrued to government in 2016 from industries amounted to Nu.528.906 million, which is about 1.7% of Gross Domestic Product (GDP).

It was also learnt that about 3,500 employees are Bhutanese and 500 are foreign workers, thereby promoting job opportunities for Bhutanese. Minor problems pertaining to electricity, business and customs issues were successfully resolved through mutual understanding between the Royal Government of Bhutan and the State of West Bengal.

The National Assembly would like to extend gratitude to the President, General Secretary and proprietors of industries in Pasakha for warm reception and hospitality, and for arranging visits to industrial sites.

9. Similarly, a Nine-Storied Lhakhang named Sangay Mingyur Ling Mila Tower depicting the life of Jetsun Milarepa is under construction

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in Phuentsholing. It is for the benefit of Buddha Dharma and wellbeing of the people. The construction is 50% completed. Hence, the Parliament would like to thank Lam Kezang Tshulthrim for his noble initiative.

10. Phuentsholing Thromde has received a total amount of US \$10.82 million, out of which US \$9.56 million as grant and US \$ 1.26 million as concessional loan from Asian Development Bank for development of basic infrastructure like Mini Dry Port, northern bypass road and two bridges.

In addition, with GOI financing of Nu.100 million and RGoB financing of Nu.140 million, construction of vegetable market and multi-storied car park is under progress. The National Assembly was pleased to observe that the cleanliness of the town has improved.

Therefore, on the behalf of the Parliament and the residents of Phuentsholing Thromde, it is our pleasure to sincerely thank Asian Development Bank and the Government of India for their continued assistance.

11. As per the command of His Majesty the Druk Gyalpo, the government had provided Nu.890 million for construction of 506 units of quarters for the benefit of people who are currently residing across the border in Phuentsholing. 10 contractors are currently engaged under the technical supervision of NHDCL and the project is expected to be completed by June 2018.

The project implementation is accelerated due to His Majesty the Druk Gyalpo's great concern and frequent visits to the sites. In

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addition, Prime Minister and Cabinet Ministers have also visited the sites to monitor the progress.

Upon the completion of the special housing project, 500 Bhutanese families who are facing housing problems will be solved. Therefore, Parliament of Bhutan would like to thank the Board Members and staff of National Housing Development Corporation Ltd. for carrying out the command works on time.

12. The parliamentary delegation from National Assembly also paid a short visit to the auction yard and met with sellers, buyers and FCBL. This year (2017) only, a total of 24,865.90 MT of potatoes and 4,103.69 MT of vegetables were sold, earning a total revenue collection of Nu.351.52 million and Nu. 115.85 million, respectively.

It was learnt that people were not willing to sell their potatoes in farm shops constructed by government. On the other hand, there was limited space in auction yards for storage of potatoes. With financial support of Nu.100 million provided by the government, people were able to receive sale proceeds on time.

13. The 10th Session of the National Assembly has adopted the following Bills for the benefit of the country and people:
 - a. The Information, Communication and Media Bill of Bhutan 2017;
 - b. The Anti- Money Laundering and Countering of Financing of Terrorism Bill of Bhutan 2017;
 - c. The Narcotic Drugs, Psychotropic Substances and Substance Abuse (Amendment) Bill of Bhutan 2017;
 - d. The Tourism Levy Exemption Bill of Bhutan 2017 (Money Bill).

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After thorough deliberations, the above mentioned Bills were adopted to be submitted to His Majesty the Druk Gyalpo for the Royal Assent.

14. Similarly, the Agreement between the Royal Government of Bhutan and the Government of the People's Republic of Bangladesh for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income was also ratified. In addition, the National Assembly had also deliberated on the important report on "Active and Healthy Ageing" submitted by the Social and Cultural Committee.

As commanded by His Majesty the Druk Gyalpo, Royal Society for Senior Citizens was established to maintain close bond and respects between senior citizens and younger generations based on the age-old values and traditions of Tha-dam-tshe Lay-Judrey.

About 50 percent of our country's population comprise of youths and children. The Government has been providing free education, healthcare and nutritional diets, because of which, the life expectancy of our people have now increased to 68 years in 2017 from 47.5 years in 1985. According to the National Statistics Bureau, the number of senior citizens above 60 years of age increased from 56,827 in 2016 to 58,804 in 2017, out of the total estimated population of 6,65,423.

The Government has provided pension and provident fund benefits to the retired civil servants, public servants and armed forces personnel.

There is a high concern of breaking down the culture of extended family and children looking after their old aged parents. In order to prevent vanishing of family support norms, the Parliament has allotted one-day session for deliberating on SDGs. Accordingly, the National Assembly has resolved that the children should look after

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their parents and the Government should formulate policies and plans on this matter.

15. The deliberation on the Annual Audit Report and Performance Audit Reports of the Royal Audit Authority submitted by the Public Accounts Committee (PAC) was also deliberated successfully.

The successful deliberation was possible mainly because of the whole-hearted supports and cooperation received by PAC during public hearings and consultations with the relevant stakeholders. Hence, the Parliament would like to thank the Chairperson and the Members of the PAC, Royal Audit Authority and all stakeholders.

16. The Parliament would like to thank Royal Bhutan Police, medical doctors, civil servants and other public servants involved in the business and security of the Parliament. The Parliament would like to thank all media houses for disseminating information of the House's proceedings to the people. The Parliament would also like to thank the Secretary General and the staff of the National Assembly Secretariat for their continued professional support and making the Tenth Session successful.

17. Lastly, with the blessings of the Triple Gem, mighty grace of the local deities, noble guidance and wise leadership of His Majesty the Druk Gyalpo, the Parliament would like to offer prayers for the everlasting peace and prosperity of the people, and continued flourishing of the Buddha Dharma. The Parliament offer its deep prayers for the long lives of His Majesty the Druk Gyalpo, Members of the Royal Family, all religious masters led by His Holiness the Je Khenpo and the People of Bhutan.

THANK YOU

Annexure XVIII

Annexure XVIII: List of Members present during the Tenth Session of the Second Parliament

1. Hon'ble Speaker Jigme Zangpo, Mongar constituency, Mongar Dzongkhag
2. Hon'ble Prime Minister, Tshering Tobgay, Sombaykha constituency, Haa Dzongkhag
3. Hon'ble Minister for Foreign Affairs Lyonpo Damcho Dorji, Goenkhatoe-Laya constituency, Gasa Dzongkhag
4. Hon'ble Minister for Works and Human Settlement, Lyonpo Dorji Choden, Thrimshing constituency, Trashigang Dzongkhag
5. Hon'ble Minister for Labour and Human Resources, Lyonpo Ngeema Sangay Tshempo, Lhamoizingkha-Tashiding constituency, Dagana Dzongkhag
6. Hon'ble Minister for Health, Lyonpo Tandin Wangchuk, Athang-Thedtsho constituency, Wangdiphodrang Dzongkhag
7. Hon'ble Minister for Information and Communication, Lyonpo Dina Nath Dungyel, Phuentshohgelri-Samtse constituency, Samtse Dzongkhag
8. Hon'ble Minister for Finance, Lyonpo Namgay Dorji, Draagteng-Langthil constituency, Trongsa Dzongkhag
9. Hon'ble Minister for Education, Lyonpo Norbu Wangchuk, Kanglung-Samkhar-Udzorong constituency, Trashigang Dzongkhag
10. Hon'ble Minister for Agriculture and Forests, Lyonpo Yeshey Dorji, Maenbi- Tsaenkhar constituency, Lhuntse Dzongkhag
11. Hon'ble Minister for Home & Cultural Affairs, Lyonpo Dawa Gyaltsen, Bongo-Chapcha constituency, Chukha Dzongkhag
12. Hon'ble Minister for Economic Affairs Lyonpo Lekey Dorji, Bardo-Trong constituency, Zhemgang Dzongkhag
13. Hon'ble Leader of the Opposition Dr. Pema Gyamtsho, Chhoekhor-Tang constituency, Bumthang Dzongkhag
14. Hon'ble Deputy Speaker Chimi Dorji, Lingmu-Toedwang Constituency, Punakha Dzongkhag
15. Hon'ble Member Tshewang Jurmi, Chhumig-Ura constituency, Bumthang Dzongkhag

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16. Hon'ble Member Rinzin Dorji, Phuentshogling constituency, Chhukha Dzongkhag
17. Hon'ble Member Karma Dorji, Drukjeygang-Tseza constituency, Dagana Dzongkhag
18. Hon'ble Member Pema Drukpa, Khamaed-Lunana constituency, Gasa Dzongkhag
19. Hon'ble Kinley Om, Bji-Kar-Tshog-Uesu constituency, Haa Dzongkhag
20. Hon'ble Member Karma Rangdol, Gangzur-Minje constituency, Lhuentse Dzongkhag
21. Hon'ble Member Ugyen Wangdi, Dramedtse-Ngatshang constituency, Mongar Dzongkhag
22. Hon'ble Member Rinzin Jamtsho, Kengkhar-Weringla constituency, Mongar Dzongkhag
23. Hon'ble Member Kezang Wangmo, Dokar-Sharpa constituency, Paro Dzongkhag
24. Hon'ble Member Khandu Wangchuk, Lamgong-Wangchang constituency, Paro Dzongkhag
25. Hon'ble Member Zangley Dukpa, Khar-Yurung constituency, Pemagatshel Dzongkhag
26. Hon'ble Member Choida Jamtsho, Nganglam constituency, Pemagatshel Dzongkhag
27. Hon'ble Member Dechen Zangmo, Nanong-Shumar constituency, Pemagatshel Dzongkhag
28. Hon'ble Member Dophu Dukpa, Kabisa-Talog constituency, Punakha Dzongkhag
29. Hon'ble Member Pelzang Wangchuk, Jomotshangkha-Martshala constituency, Samdrup Jongkhar Dzongkhag
30. Hon'ble Member Mingbo Dukpa, Dewathang Gomdar constituency, Samdrup Jongkhar Dzongkhag
31. Hon'ble Member Tek Bahadur Subba, Dophuchen-Tading constituency, Samtse Dzongkhag

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32. Hon'ble Member Ritu Raj Chhetri, Tashichhoeling constituency, Samtse Dzongkhag
33. Hon'ble Member Madan Kumar Chhetri, Ugyentse-Yoeseltse constituency, Samtse Dzongkhag
34. Hon'ble Member Rinzin Dorji, Shompangkha constituency, Sarpang Dzongkhag
35. Hon'ble Member Gopal Gurung, Gelegphu constituency, Sarpang Dzongkhag
36. Hon'ble Member Tshering, North Thimphu constituency, Thimphu Dzongkhag
37. Hon'ble Member Yeshey Zimba, South Thimphu constituency, Thimphu Dzongkhag
38. Hon'ble Member Wangdi Norbu, Bartsham-Shongphu constituency, Trashigang Dzongkhag
39. Hon'ble Member Jigme Wangchuk, Radhi- Sagteng, Trashigang Dzongkhag
40. Hon'ble Member Karma Tenzin, Wamrong constituency, Trashigang Dzongkhag
41. Hon'ble Member Dupthob, Boomdeling-Jamkhar constituency, Trashiyangtse Dzongkhag
42. Hon'ble Member Sonam Dondup Dorjee, Khamdang-Ramjar constituency, Trashiyangtse Dzongkhag
43. Hon'ble Member Nidup Zangpo, Nubi-Tangsibji constituency, Trongsa Dzongkhag
44. Hon'ble Member Yogesh Tamang, Kilkhorthang-Mendrelgang constituency, Tsirang Dzongkhag
45. Hon'ble Member Novin Darlami, Sergithang-Tsirang Toed constituency, Tsirang Dzongkhag
46. Hon'ble Member Kuenga, Nyishog- Saephu constituency, Trongsa Dzongkhag
47. Hon'ble Member Dorji Wangdi, Panbang constituency, Zhemgang Dzongkhag

