



The Guideline on the Operation and Monitoring of Commercial Rafting, 2019

Ministry of Home and Cultural affairs
Ministry of Economic Affairs
Ministry of Agriculture and Forest
Royal Bhutan Police
Tourism Council of Bhutan

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**CHAPTER 1
PRELIMINARY**

Title

1. This guideline shall:
 - (1) be called The Guideline on the Operation and Monitoring of Commercial Rafting, 2019.

Commencement

2. This Guideline comes into force on... 18/06/2019

Application

3. This Guideline shall apply to:
 - (1) Registered operator providing commercial rafting service; and
 - (2) Safety rafter guide.

Supersession

4. The Guideline supersedes any other existing guidelines, rules, circulars, which are inconsistent with this Guideline. However, the boating will be governed by the Boating Guidelines 2015 (annexed).

**CHAPTER 2
GENERAL REQUIREMENTS**

River rafting equipment

5. A licensee shall have equipment provided in the Annexure II.

**CHAPTER 3
OPERATION AND MONITORING**

Operation

6. For the purpose of providing safety for rafters, following operation guideline shall be observed:

Time of operation

- (1) Rafting shall be operated as per the following timings:
 - i. Summer (1st April to 31st October : 6AM to 5PM (last departure)
 - ii. Winter: (1st November to 31st March): 7AM to 3PM (last departure)

Pricing

7. The minimum of Ngultrum Ten Thousand per raft per trip shall be charged by the operators in 2019 and the minimum price, thereafter, shall be revised on annual basis in consultation with the stakeholders.
8. Any operator, operating below agreed price will be deemed to have violated the provision of this guideline, and shall be liable for penalty as prescribed in this guideline.

Transportation of raft

9. The Raft shall be transported in adherence to the Road Safety and Transport Legislation or any other existing laws.

Prohibited activities

10. While rafting on any rivers following activities shall be prohibited
 - i. Any activity that undermines personal safety or the safety of other rafters while on the raft;
 - ii. Fishing while on the raft or while stopping at the designated stops, unless permitted with a written approval from an approving authority;
 - iii. Causing disturbance/harm to wildlife and its habitat
 - iv. public nuisance; or
 - v. Throwing trash.

Monitoring

11. The concerned Forest Range Office shall be responsible for regular monitoring of rafting and authorised to stop the operation if the necessary safety measures are not met or provisions of the Guidelines are not complied with. If necessary, in order to enforce compliance, the support of the Dzongkhag Administration and Royal Bhutan Police will be sought.
12. In addition, the Dzongkhag Administration shall mobilize a team consisting of officials from concerned Dzongkhag Administration, the Royal Bhutan Police, Department of Forests and Park Services, Regional Trade and Industry Office and any other relevant agencies to conduct joint monitoring visits monthly or as and when deemed necessary.

**CHAPTER 4
OBLIGATION OF LICENSEE**

Responsibility of licensee

13. A licensee shall:

- a. Not sublet the business;
- b. Provide rafting services only in rivers designated and shall not be carried out in the cultural¹ and biodiversity² sensitive areas.
- c. Provide rafting services as per the timing provided in the Guideline;
- d. Employ minimum of four certified safety rafter guides including himself, if certified with the following requirements:
 - i. Who has attained an age of 18 years;
 - ii. Has medical fitness certificate; and
 - iii. Who has undergone training on rafting and obtained safety rafter guide certificate from internationally/national recognized institutions.
- e. Maintain record of safety rafter guides' qualifications, training and experience and record shall be made available during the monitoring;
- f. Ensure that all passengers are briefed on the safety before the departure; all passengers shall be provided with safety equipment.
- g. Ensure no children below the age of seven years are allowed to raft;
- h. Ensure children above the age of seven and below age of 13 years are allowed to raft only when accompanied by parents or guardian and with their consent.
- i. Ensure proper management of waste in accordance with the Waste Management Act 2009
- j. Display identification of the company on the rafts and ensure all raft guides display their identification card at all time of operation.
- k. Strictly ensure maximum of six passenger for raft size of 14ft and above and safety rafter guides as follows:
 - i. For Class 3 minus River (e.g Mochu),Ensure:
 1. 1 guide and 1 safety kayak in case of lone raft; and
 2. 1 guide for each raft when there are more than one raft moving together. No safety kayak required.
 - ii. For Class 3 Plus River (e.g Phochu), Ensure:
 - a. 2 safety rafter guides and 1 safety kayak in case of lone raft; and
 - b. 2 safety rafter guides for each raft when there are more than one raft moving together. No safety kayak required.

¹ Culturally sensitive area list designated by Department of Culture, MoHCA

² Biodiversity area list designated by Nature Conservation Division, Department of Forest and Park Service, MoAF

- l. Ensure to abide by all existing laws relating to employment including insuring their employee/rafting guides.
- m. Neither operate himself nor let the safety rafter guide carry out the rafting:
 - i. Under the influence of alcohol; or
 - ii. Under the influence of controlled/psychotropic substances.

CHAPTER 5 OBLIGATION OF SAFETY RAFTER GUIDE

Responsibility of Safety Rafter Guide

14. The safety rafter guide shall:
- a. Update and renew their certificate every after three years;
 - b. Not consume alcohol or psychotropic/controlled substances, smoke, and chew *doma* while on duty;
 - c. Not indulge in any activity prohibited by law;
 - d. Not be reckless and negligent, whereby risking the safety of the clients; and
 - e. Ensure proper decorum with clients while on duty.

Certification

15. The safety rafter guide shall have the training on rafting and obtained safety rafter guide certificate from international or national recognized institutions
16. The certificate should be valid for three years and should be renewed after the expiry date.

CHAPTER 6 EXPEDITION

Permit for Expedition

17. An application must be submitted using the prescribed format (attached here) well in advance to the Tourism Council of Bhutan Secretariat office (TCBS).

CHAPTER 7 ACCIDENT

Reporting Accident

18. If an incident occurs on a commercial river rafting trip and the incident involves loss of life, the rafting operator must, as soon as possible, report the incident using the form (annexed), to the officer of Royal Bhutan Police and to Donzghag Administration.

19. If an incident occurs respecting a person on a commercial rafting trip and the incident involves any of the following, the rafting operators must, within 48 hours after trip ends, report the incident to the TCBS using the form (Annexed):
- a. Stoppage of breathing;
 - b. Injury requiring hospitalization for more than 24 hours.

Rafting accident involving death of foreign National

20. In the event of death of foreign national during rafting accident, the licensed rafting operator shall comply with the standard operating procedure as contained in the SOP issued by the Ministry of Home and Cultural Affairs as Annexure III.

**CHAPTER 8
PENALTIES**

21. Where a rafting operator fails to adhere to this guideline or any other laws in force, the relevant agency may impose penalty as per the relevant laws.
22. Repeated offenders under this clause will lead to cancellation of rafting license of the operators and the river guides barred from conducting the activity.

Definition

For the purpose of this Guideline, unless the context otherwise requires

- (1) "Class 3 River" means rapids with moderate, irregular waves which may be difficult to avoid and which can swamp an open canoe. Complex maneuvers in fast current and good boat control in tight passages or around ledges are often required; large waves or strainers may be present but are easily avoided. Strong eddies and powerful current effects can be found, particularly on large-volume Rivers. Scouting is advisable for inexperienced parties. Injuries while swimming are rare; self-rescue is usually easy but group assistance may be required to avoid long swims. Rapids that are at the lower or upper end of this difficulty range are designated Class III- or Class III+ respectively.
- (2) "Expedition" means organised trip undertaken along the river stretches by an group of expert kayaker or rafting guide using a kayak, raft and other logistics support facilitated by tour operator.
- (3) "Licensee" means a person to whom a rafting operator license has been issued by the Ministry of Economic Affairs.
- (4) "Raft" means as a soft-bodied, inflatable watercraft especially constructed and

designed to be manoeuvred through white water rapids.

- (5) "Rafting" means a competitive, social, and recreational activity that is accessible to the general public, and can be enjoyed by people through sport and recreation. Rafting requires specialized equipment and instruction to participate safely, and may require considerable skill by the participant(s) depending upon the grade of difficulty of the waterway.
- (6) "Rafting accident" includes: Collision, capsizing and disappearance of a raft other than theft.
- (7) "Safety Kayak" means a white water kayak that has been specifically designated to provide on-river safety coverage during a raft trip. A Safety Kayak must be of a type and design that is capable of performing swimmer rescue and equipment recovery, and should never be used for other purposes (such as trip photography, etc). Safety Kayakers must always be trained and experienced in providing kayak safety support.
- (8) "Safety Rafter guide" means person who has demonstrated that they have the additional skills, knowledge and experience necessary to safely and competently provide on-river safety support from a raft that is primarily controlled by fixed oars

**BUREAU OF LAW AND ORDER
MINISTRY OF HOME AND CULTURAL AFFAIRS
TASHICHHODZONG, THIMPHU**



GUIDELINES ON RIVER BOATING, 2015

Guidelines on River Boating, 2015

1. Title

This Guideline shall be called the Guidelines on River Boating, 2015, hereinafter referred to as the Guidelines.

2. Objective

This Guidelines is being adopted as an interim measure, to address all safety concerns, until such time an appropriate legal framework has been enacted.

3. Effective Date

This Guidelines shall come into effect from 27th October, 2015.

4. Definitions

- a. Competent Authority: means the Ministry of Home and Cultural Affairs.
- b. Boat: means a vehicle designed for operation as a watercraft propelled by oars, sails, or one or more internal combustion engine(s).
- c. Motorboat: means a boat which is powered by an engine.
- d. Boat Operator: means a person who is trained and certified by Competent Authority to operate a boat or motorboat.
- e. Boat Owner: means a person or group of persons whose boat or motorboat is registered under his/her/their ownership.

5. Criteria

- a. A person who is 21 and above but 50 years of age and below shall be permitted to operate boat or motorboat on water,
- b. A person shall be medically and physically fit and certified by a competent RGoB medical authority,
- c. A boat operator shall have successfully completed river boating course and

- d. A boat operator shall possess river boating course certificate prior to operating any boat.

6. River Boating Safety Course

- a. The Competent Authority shall conduct river boating safety course,
- b. An eligible person shall register with the Competent Authority for boating safety course and
- c. Upon successful completion of the boating safety course, the registered boat operator shall be issued with certificate which shall be renewed on an annual basis.

7. Licensing and Insurance Coverage

- a. Every owner of a boat shall obtain license to operate a boat from the Competent Authority which shall be renewed on an annual basis,
- b. Before granting/renewing license to operate a boat, the Competent Authority shall test the fitness of the boat,
- c. Every boat owner shall ensure that his/her boat is operated by a person certified by Competent Authority to operate boat and
- d. Every boat must have insurance coverage.

8. Safe Operation

- a. Every boat operator shall follow safety measures as prescribed in this guidelines,
- b. Every boat operating for the purpose of river rafting/kayaking shall comply with safety measures as prescribed by the Tourism Council of Bhutan,
- c. Every boat operator shall ensure safety of its passengers on the boat,
- d. Every boat operator shall ensure that the boat is well equipped with floatation devices as prescribed in the guidelines and
- e. Every boat operator shall ensure that the boat is not plying between sunset and sunrise.

9. Safety Measures

- a. Every boat operator shall ensure that the following items are on board:
 - i. Bailing buckets
 - ii. Sponge
 - iii. Life vests/jackets
 - iv. Floating tubes/devices
 - v. Any other safety devices, as deemed necessary
- b. The boat is not overloaded with passengers and goods beyond its capacity,
- c. The boat operator is not under the influence of alcohol or any kinds of intoxication,
- d. The Dzongkhag/Dungkhag Administration shall monitor the operation of boats from time to time and
- e. In the event of contravention of the above provisions, the concerned person/passenger must immediately report it to the nearest police station or Gewog office.

10. Boating Accidents

- a. A boating accident includes but is not limited to capsizing, collision, foundering, flooding, fire, explosion and the disappearance of a boat other than by theft,
- b. A boat operator whose boat is involved in a boating accident shall:
 - i. Stop his or her boat immediately at the scene of the accident.
 - ii. Assist anyone injured or in danger from the accident.
 - iii. Give his/her name, address and boat identification to anyone injured and to the owner of any property damaged by the accident.
 - iv. Report to the nearest police station or Gewog office by the quickest possible means if the accident has caused injury, disappearance of person, death and circumstances that indicate the possibility of death or injury.

11. Reporting Accidents

- a. Any accident involving death, injury to life and damage to property shall be reported to the nearest police station/Dzongkhag or Gewog office,
- b. The Police/Dzongkhag or Gewog office shall immediately send a joint team to investigate at the site of accident after receiving the accident report and
- c. The investigation report of the accident shall be submitted to Competent Authority.

12. Unlawful Operation

- a. No boat shall be operated in a reckless and negligent manner,
- b. Examples of reckless or careless operation shall include amongst others:
 - i. Operating in a manner that may cause an accident which endangers life or property.
 - ii. Overloading the boat beyond its capacity.
 - iii. Over speeding in the case of motor boats
- c. A person shall not operate the boat under the influence of alcohol or any kinds of intoxication,
- d. No boat operator shall permit another person, who is not certified, to operate his/her boat,
- e. A boat shall be operated only in the designated river identified by the concerned Dzongkhag Administration and/or Tourism Council of Bhutan and
- f. Any other act which contravenes the provisions set out in this guidelines

ANNEXURE II
LIST OF RAFTING EQUIPMENT

- a. A minimum of two inflatable rafts capable of self- bailing water and two safety kayaks;
- b. Raft and safety Kayaks must be in good condition;
- c. Each Raft must be equipped with;
 - i. Helmets;
 - ii. Life jackets (Personal floatation device);
 - iii. Adequate Paddles;
 - iv. A first aid box;
 - v. Bowlines; and
 - vi. Throw bag of 60 feet or more per raft.
- d. Each Safety kayak must be equipped as follows:
 - i. float bags
 - ii. paddle and one spare paddle,
 - iii. a throw bag; and
 - iv. a first aid kit

ANNEXURE III
Application Form for Expedition

Company:

Address#

License #

Company Owner:

Trip Leader:

No. Of guide involved:

No. Kayak & Raft:

Date of Expedition (duration)

River stretch/ River route:

Dzongkhag:

Accident/Injury Report

Company

Address

License #

Company owner

Trip Leader*

Guide

Date of occurrence

River

River route

Location on route

Type of injury (tick)

- Loss of life
- Stoppage of breathing
- Hospitalization for 24 hours

Injured Persons:

Name

address

Tel/Cell #

Description of injury:

Description of occurrence:

Water flow (cms) -high, medium, low

[Rafting operator signature]

Date

[Investigating Officer]

**Trip Leader can be a raft guide*

STANDARD OPERATING PROCEDURE FOR DEALING WITH DEATH OF FOREIGN NATIONAL IN BHUTAN, 2016

Title

1. This procedure shall be called the Standard Operating Procedure (SOP) for Dealing with Death of Foreign National in Bhutan, 2016, hereinafter referred to as the SOP.

Rationale

2. This SOP is being adopted as an administrative coordination mechanism, to deal with deaths of foreign nationals in the country.

Objective:

3. Objective of this SOP is to consolidate functions of all relevant agencies and streamline the process of administrative coordination among the agencies involved in dealing with deaths of foreign nationals.

Effective Date

4. This SOP shall come into effect from 20th September 2016

Issuance of Medical Certificate of Cause of Death, Post Mortem Report and No Objection Letter for Transport of Body of Deceased

5. Medical Certificate of Cause of Death shall be issued by the concerned hospital in the event of natural death as per existing norms.
6. In the event of unnatural/unexplained death, due investigation procedure shall be jointly completed by the concerned medical official and Royal Bhutan Police. Post Mortem Report shall be issued by the concerned hospital upon completion of investigation as per existing norms. RBP shall issue No Objection Letter for Transport of Body of Deceased as per existing norms, after completing due process.
7. In the case of unnatural/unexplained death in prison/detention, it shall be dealt as per the Prison Act of Bhutan, 2009 and in compliance with the existing norms. Post Mortem Report and No Objection Letter for Transport of Body of Deceased shall be issued as per para 6.

Communication procedure, cremation and evacuation of body of deceased pertaining to death of official guest/diplomat

8. The concerned host agency shall notify the death of the said official guest/diplomat to the Ministry of Foreign Affairs (MFA) for further communication to the Government concerned and family member(s) through diplomatic channel. Simultaneously, a copy of the same shall be provided to the Ministry of Home and Cultural Affairs MoHCA). In the case of countries that have their Diplomatic Missions in Thimphu, the Ministry of Foreign Affairs shall immediately communicate the information to them.
9. With regard to the evacuation of the body of the deceased, the host agency, in consultation with MoHCA and MFA, shall facilitate the process, in coordination with the concerned Diplomatic Mission/Family Member(s).
10. In the event a request is received for the cremation to be carried out in Bhutan, the host agency, in consultation with MoHCA and MFA, may facilitate the cremation, in coordination with the concerned Diplomatic Mission/Family Member(s).

Communication procedure, cremation and evacuation of body of deceased pertaining to death of expatriate employee/tourist

11. The Employing Agency (for expatriate employee), Travel Agent (for tourist) in coordination with TCB, Foreign Workers Recruitment Agency/Employer (for foreign worker) in coordination with MoLHR shall communicate information about the death to the authority concerned or family member(s) or both with prior intimation to the MoHCA and MFA.

The information on death may also be communicated by diplomatic channel through MFA as the case may warrant, under intimation to the MoHCA. In the case of countries that have their Diplomatic Missions in Thimphu, the afore-mentioned agencies shall communicate the information to them through the MFA, under intimation to the MoHCA.

12. The evacuation of the body of the deceased shall be facilitated as below:
 - a. The Employing Agency (for expatriate employee) in coordination with MoLHR and MoHCA
 - b. Travel Agent (for tourist) in coordination with the TCB and MoHCA

Foreign Workers Recruitment Agency/Employer (for foreign worker) in coordination with the MoLHR and MoHCA

13. In the event a request is received for the cremation to be performed in Bhutan, it shall be facilitated as below:

- a. The Employing Agency (for expatriate employee) in coordination with MoLHR and MoHCA
- b. Travel Agent (for tourist) in coordination with TCB and MoHCA with intimation to MFA
- c. Foreign Workers Recruitment Agency/Employer (for foreign worker) in coordination with the MoLHR and MoHCA

Communication procedure, cremation and evacuation of body of deceased pertaining to death of other categories

14. The MoHCA, in consultation with MFA, shall coordinate communication of death, evacuation and cremation of body of deceased in the case of deaths of foreign nationals that are not covered under any of the categories mentioned above.
15. Unclaimed/unidentified body of deceased shall be preserved for 15 days by the Morgue, following issuance of notification through print and broadcast media. Thereafter, a committee comprising of members from MoHCA, RBP and MoH shall decide the mode of disposal of remains of the deceased, under intimation to the MFA.
16. The information on deaths specified under 14 and 15 above shall be communicated to the MoHCA by the concerned hospitals/agencies/RBP.

Communication procedure, cremation and evacuation of body of deceased pertaining to unnatural death occurring in the border districts

17. The concerned Dzongkhag/Dungkhag Administration shall communicate information about the death to the concerned police authority of the counterpart district with prior intimation to the MoHCA and MFA, in the event of death of Indian nationals.

The information on death may also be communicated by diplomatic channel through MFA as the case may warrant, under intimation to the MoHCA. In the case of

countries that have their Diplomatic Missions in Thimphu, the concerned Dzongkhag/Dungkhag Administration shall communicate the information to MFA through MoHCA.

18. With regard to the evacuation of the body of the deceased, the concerned Dzongkhag/Dungkhag Administration shall facilitate the process in consultation with MoHCA and MFA and in coordination with the agency involved, concerned Diplomatic Mission/Local Counterpart District Authority/Family Member(s).
19. In the event a request is received for the cremation to be carried out in Bhutan, the concerned Dzongkhag/Dungkhag Administration may facilitate the cremation in consultation with MoHCA and MFA and in coordination with the agency involved, the concerned Diplomatic Mission/Local Counterpart District Authority/Family Member(s).
20. Unclaimed/unidentified body of deceased shall be preserved for 15 days, by the morgue, following issuance of notification through print and broadcast media. Thereafter, a committee comprising of members from concerned Dzongkhag Administration, RBP and hospital shall decide the mode of disposal of remains of the deceased, under intimation to the MFA.

Communication procedure, cremation and evacuation of body of deceased pertaining to death occurring in the prison/detention

21. The RBP shall communicate information about the death to the authority concerned or family member(s) or both with prior intimation to the MoHCA and MFA.

The information on death may also be communicated by diplomatic channel through MFA as the case may warrant, under intimation to the MoHCA. In the case of countries that have their Diplomatic Missions in Thimphu, the afore-mentioned agencies shall communicate the information to them through the MFA, under intimation to the MoHCA.
22. If the death occurring in the prison/detention is in the border districts, para 17 shall be followed.
23. With regard to the evacuation of the body of the deceased, the RBP shall facilitate the process in consultation with MoHCA and MFA and in coordination with the concerned Diplomatic Mission/Family Member(s).

4. In the event a request is received for the cremation to be carried out in Bhutan, the RBP may facilitate the cremation in consultation with MoHCA and MFA and in coordination the concerned Diplomatic Mission/Family Member(s).

25. Unclaimed body of deceased shall be dealt as per the Prison Act of Bhutan, 2009.

Expenses for carrying out evacuation and cremation of body

26. Expenses for carrying out evacuation of body and cremation shall be borne as follows:

- a. Expenses for expatriate and other categories of employees may be borne as per the terms and condition entered into between the employee and the employer.
- b. Expenses for tourists may be borne as per the terms and condition entered into between the tour agent and the tourist.
- c. If the employment agreement does not cover the expenses on evacuation or cremation, the expenses may be borne at the discretion of the management of the concerned agency.
- d. In other cases, family member(s) of the deceased shall bear the expenses.

Handing-taking of bodies of deceased

27. Body of the deceased shall be handed over to the family members and/or concerned authorities or Governments by the concerned responsible agencies in the presence of witness and/or representative from the concerned diplomatic mission and/or representative from the police authority of the concerned counterpart districts.
28. A handing-taking note prepared by the concerned agencies shall be duly signed by the family members or representative from the concerned diplomatic mission or representative from the police authority of the concerned counterpart districts