

NATIONAL SECURITY ACT, 1992.

Whereas it is expedient to enact a law to ensure security, integrity and public order within the Kingdom of Bhutan, it is hereby enacted as follows:

1. This Act shall be called the National Security Act, 1992. It shall come into force from the 2nd November 1992 corresponding to the 8th day of the 9th month of the Water Monkey Year of the Bhutanese Calender and it shall supersede the provisions of Tsa of the Thrimshung of 1957 pertaining to treason.
2. This Act shall extend to the whole of Bhutan.
3. This Act shall apply to all persons irrespective of nationality if the relevant offence has been committed in Bhutan or is intended to be committed in Bhutan, or is committed on an aircraft/ carrier registered in Bhutan.
4. Whoever engages in treasonable acts against the TSA-WA-SUM or attempts to do so, either within or outside Bhutan shall be punished with death or be subject to imprisonment for life.
5. Whoever commits any overt act with intent to give aid and comfort to the enemy in order to deliberately and voluntarily betray the TSA-WA-SUM, and harm the national interest shall be punished with death or imprisonment for life.
6. Whoever conspires within or outside Bhutan to commit any of the offenses punishable by Articles 4 and 5 of this Act shall be punished with imprisonment which may extend to ten years.
7. Whoever by words either spoken or written, or by any other means whatsoever, undermines or attempts to undermine the security and sovereignty of Bhutan by creating or attempting to create hatred and disaffection among the people shall be punished with imprisonment which may extend to ten years.

8. Whoever by words, either spoken or written, or by any other means whatsoever, creates misunderstanding or hostility between the government and people of Bhutan and the Government and people of any foreign country with which Bhutan has peaceful and friendly relations, or attempts to create such misunderstanding or hostility, shall be punished with imprisonment which may extend to five years.

9. Whoever :-
 - a) by words either spoken or written, or by other means whatsoever, promotes or attempts to promote, on grounds of religion, race, language, caste or community, or on any other ground whatsoever, feelings of enmity or hatred between different religious, racial or language groups or castes and communities, or
 - b) commits any act which is prejudicial to the maintenance of harmony between different religious, racial or language groups or castes or communities, and which disturbs or is likely to disturb the public tranquillity.
 - c) Shall be punished with imprisonment which may extend to three years.

10. The government may control the public's right to assembly to avoid breaches of the peace:-
 - a) by requiring licenses to be issued prior to sanctioning a public assembly;
 - b) by prohibiting an assembly in designated areas (government buildings, military installations, border areas, etc.);
 - c) by declaring curfew.

11. Any Magistrate or officer-in-charge of a police-station may command any unlawful assembly, or any assembly of 5 or more persons likely to cause a disturbance of the public peace, to disperse, and it shall thereupon be the duty of the members of such assembly to disperse accordingly.

Whoever is a member of an assembly which is declared unlawful by the government because the common object of the persons composing that unlawful assembly is :-

- a) to overawe by criminal force, or show of criminal force, the Royal Government of Bhutan, or the National Assembly, or any public servant in the exercise of the lawful power of such public servant; or
 - b) to resist the execution of any law, or of any legal process; or
 - c) to commit any mischief or criminal trespass, or any other offence; or
 - d) to compel by means of criminal force, or show of criminal force, any person to do what he is not legally bound to do, or to omit to do what he is legally entitled to do.
 - e) Anyone committing the above offence shall be punished with imprisonment which may extend to one year.
12. Whoever, being armed with any deadly weapon which can cause death, is a member of an unlawful assembly shall be punished with imprisonment which may extend to two years.
13. Whenever force is used by an unlawful assembly or by any member thereof, in prosecution of the common object of such assembly, those using force are guilty of the offence of rioting, and shall be punished with imprisonment which may extend to two years.
14. Whoever is guilty of rioting being armed with a deadly weapon which can cause death, shall be punished with imprisonment which may extend to three years.
15. The Royal Government of Bhutan may declare a state of emergency covering any part or all of its territory wherein natural, social, political or economic factors compel the government to maintain public order.
16. The term TSA-WA-SUM shall be deemed to mean: King, People and Country.