



MONITORING & COMPLIANCE REPORT

OCTOBER – DECEMBER 2017



TABLE OF CONTENTS

Executive Summary	1
Introduction	2
Breakdown of Contacts	2
Programming Content Compliance	3
Technical Compliance	6
Complaints Resolution	7
Financial Compliance	9
Notices of Breach	13

Tables:

Table 1 - Content Standards Report	4
Table 2 - Technical Monitoring	6
Table 3 - Resolution of Complaints by Licensee Type	7
Table 4 - Resolution of Complaints by Category	8
Table 5 - STV Financial Compliance	11-12
Table 6 - Breaches	14

Charts:

Figure 1 - Content Standards Reports Trends: 2014-2017	5
Figure 2 - STV Licence Fee Payment	9
Figure 3 - Trend in Total Breaches, 2014-2017	13

EXECUTIVE SUMMARY
BCJ - Quarterly Monitoring & Compliance Report
(October – December 2017)

During the period October – December 2017, two (2) Notices of Breach of Licence were issued to two (02) broadcast radio licensees. The number of breaches were similar to that of the previous quarter, July - September - 2017.

One hundred and two (102) contacts were recorded for the period October – December 2017. Of this number, five (5) were complaints, which resulted in investigations of broadcast radio, and television operators. All five (5) complaints were content related matters. There was an increase of one (1) when compared with the previous quarter, July– September 2017.

The remaining ninety-seven (97)) contacts consisted of queries, requests and comments about other operational issues pertaining to licensed operators and the work of the Commission.

Eight (8) subscriber television licensees were inspected during the period under review, to determine their compliance with technical standards.

In relation to the payment of the annual licence fee, twenty-five (25) subscriber television (STV) operators, or 51% of all licensees, paid in full; ten (10) or 20% made partial payments and fourteen (14) or 29%, were non-compliant. There was a decrease of one (1) in the number of full payments recorded, when compared to the previous quarter. The number of licensees who made partial payments increased by four (4) and there was a decrease of three (3) in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

One hundred and two (102) contacts were recorded for the period, October – December 2017. There were five (5) investigations and two (2) Notices of Breach of Licence.

BREAKDOWN OF CONTACTS

	October 2017	November 2017	December 2017	Total
<u>Queries, Requests, Complaints and Reports:</u>				
Complaints	2	1	2	5
Concerns about rebate from Flow customers	3	4	2	9
Poor STV Technical Service	3	11	7	21
Interference from BBC	-	-	4	4
Poor Free-to-air Television Technical Service	3	2	-	5
Application Process	2	-	2	4
Other operational issues	25	18	11	54
TOTAL	38	36	28	102

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated five (5) complaints relating to the broadcast of problematic content. The number of complaints investigated increased by one (1) when compared to the period July - September 2017

Table 1 details the complaints investigated relating to content standards from October to December 2017, and the nature of the investigations conducted by the Commission.

Figure 1 illustrates the trend in content standards complaints investigated in the comparable reporting periods since 2014.

Table 1

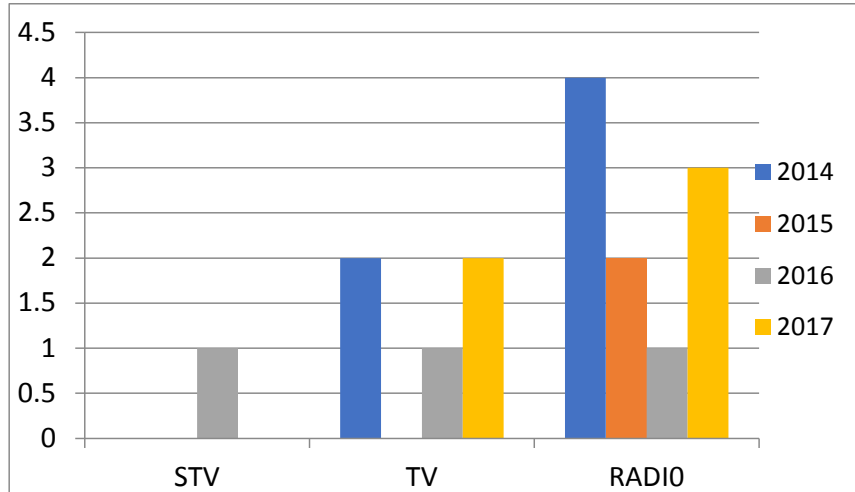
Content Standards Complaints Investigated:
October – December 2017

	Transmission of an expletive during live broadcast of a football match.	Transmission of profane language in a music video.	Transmission of song containing profanity.	Transmission of song containing sexual suggestive lyrics.	Transmission of inappropriate content in song	TOTAL
CVM Television	1	1				2
St. Bess FM			1			1
Mega Jamz 98FM					1	1
Grove Broadcasting Company Limited (ZIP)				1		1
TOTAL	1	1	1	1	1	5

* Complaints listed above include allegations that may not have necessarily resulted in findings of breach.

Figure 1:

CONTENT STANDARD COMPLAINTS INVESTIGATED Trends for Quarter (October - December) from 2014 to 2017



	2014	2015	2016	2017
STV	0	0	1	0
TV	2	0	1	2
RADIO	4	2	1	3

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

The facilities of eight (8) subscriber television operators were inspected to determine their compliance with the technical standards set out in law.

Table 2 - lists the subscriber television licensees that were inspected and the areas of technical non-compliance identified.

Table 2: Technical Monitoring: October– December 2017

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Cabletron Network Systems Ltd.	17(4)(e); 17(4) d; 15(a); 17(1) h	Letter dated January 3, 2018 sent to licensee with three months deadline to address breach.
2.	CTL Limited.	17(4) d;17(4) e, 16(1)	Letter dated January 4, 2018 sent to licensee with one month to address breach.
3.	Horizon Entertainment and Communication Company Limited.	17(4) e	Letter dated October 13, 2017 sent to licensee with one month to address breach.
4.	Inntech Communications Ltd.	17(4) e; 15(a)	Letter dated January 4, 2018 sent to licensee with one month to address breach.
5.	Odyssey Cable Vision Ltd.	17(4) d, 17(4) e	Letter dated January 4, 2018 sent to licensee.
6.	Pro Cables Network Ltd.	15(a), 17(4) b,17(4) d,17(4) e	Letter dated November 4, 2017 sent to licensee.
7.	Somane Pesole Communications Ltd.	15(a)	Letter dated November 1, 2017 sent to licensee.
8.	Wilson Enterprise Limited	Reg 17(4) e	Letter dated November 24, 2017 sent to licensee.

NB: Breach of Licence [2]: Non-provision of service in licensed zones(s)

Breach of Licence [1]: Operating a non-addressable system.

COMPLAINTS RESOLUTION

Except for matters which fall outside of the Commission's mandate, all reports of possible breaches of licence are investigated. As soon as investigations are completed, the complainants and the relevant licensees are notified of the outcome, and the Commission considers the matter resolved.

Two (2) investigations were resolved between October – December, 2017.

Table 3
Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	-
Broadcast Television	-
Broadcast Radio	2
Total	2

Table 4
Resolution of Complaints by Category

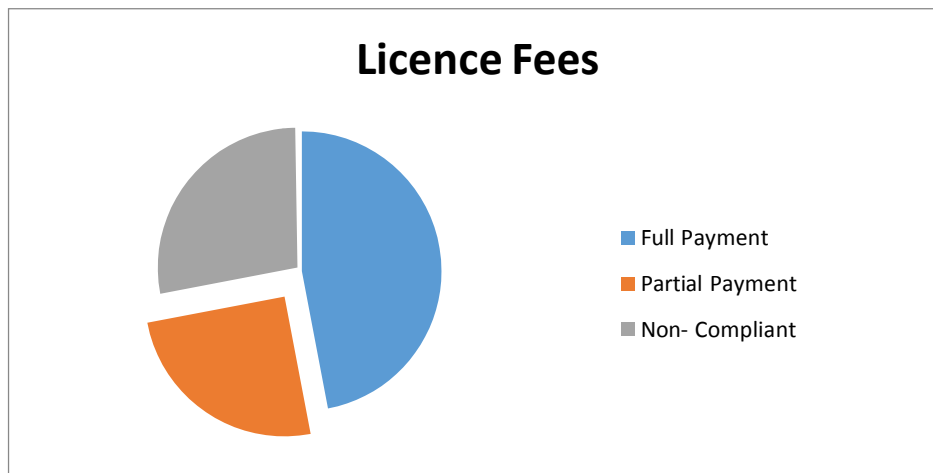
CATEGORY	TOTAL
<p>Closed - Complied with required remedial action for breach of licence</p> <ul style="list-style-type: none"> • Broadcast Radio • Broadcast Television 	<p>1</p> <p>-</p>
<p>Closed - No Evidence of Breach</p> <ul style="list-style-type: none"> • Broadcast Radio 	<p>1</p>
<p>No Further Remedial Action Required</p> <ul style="list-style-type: none"> • Broadcast Radio • Broadcast Television 	<p>-</p> <p>-</p>
Total	2

FINANCIAL COMPLIANCE

STV operators are required to pay an annual licence fee of five percent (5%) of their gross subscription income. Payment is made quarterly and is calculated using data from Quarterly Returns submitted by STV licensees.

Aggregate payment performance is illustrated in **Figure 2**

Figure 2



Full Payment	-	51%
Partial Payment	-	20%
Non- Compliant	-	29%

Table 5
STV Licensees Financial Compliance
For quarter ended December 31, 2017

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2012	2013	2014	2015	2016	Paid in Full	Partial Payment	Non-Compliant
1	Advance Cable Systems Ltd.	n/a	n/a	n/a	no	no	✓		
2	Astra Technology Ltd.	yes	yes	yes	no	no	✓		
3	Cable One Jamaica Ltd. yes	yes	yes	yes	yes	yes	✓		
4	Cabletron Network Systems Ltd.	yes	yes	yes	no	no		✓	
5	Central Clarendon Cable Ltd.	n/a	n/a	n/a	no	no			✓
6	Central Communication Services Ltd.	yes	yes	yes	no	no	✓		
7	Columbus Communications - FLOW	yes	yes	yes	yes	no	✓		
8	Combined Communications Ltd.	yes	yes	yes	no	no		✓	
9	Communicable Ltd.	no	no	no	no	no		✓	
10	Cornwall Communications Ltd.	yes	yes	no	no	no		✓	
11	CTL Limited	yes	yes	yes	no	no	✓		
12	Digicel Jamaica (formerly Telstar Cable Ltd)	yes	yes	no	no	yes	✓		
13	Digital Interactive Systems Limited	n/a	n/a	n/a	n/a	n/a	✓		
14	Direct Cable Systems Ltd.	yes	yes	no	no	no			✓
15	First Choice Cable	yes	yes	no	no	no		✓	
16	Gemini Cable Network (formerly Silly Video Cable Network Ltd)	yes	yes	yes	yes	yes	✓		
17	General Satellite Network Company	yes	yes	yes	yes	no			✓
18	Guthrie's Communications Ltd	yes	yes	no	no	no			✓
19	Horizon Entertainment & Communication	n/a	n/a	n/a	no	no	✓		
20	Inntech Communications Ltd.	yes	yes	yes	yes	yes	✓		
21	Jamaica Cablevision Ltd.	yes	yes	no	no	no	✓		
22	Kisara Cable Co. Ltd.	n/a	n/a	n/a	n/a	n/a	✓		
23	Linscom Network Limited	yes	yes	yes	no	yes	✓		

STV Licensees Financial Compliance

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2012	2013	2014	2015	2016	Paid in Full	Partial Payment	Non-Compliant
24	Logic One Limited	yes	yes	yes	yes	no	✓		
25	Marimaxx Communications Ltd.	no	no	no	no	no		✓	
26	Mars Cable Vision Ltd.	yes	yes	yes	yes	yes	✓		
27	McKoy's Cable Television Co. Ltd.	yes	yes	yes	no	no			✓
28	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
29	Modern Re-Broadcasting Co. Ltd.	yes	yes	yes	no	no	✓		
30	Nems Electrical & Satellite Ltd.	n/a	n/a	n/a	n/a	no			✓
31	Network Cable Service	n/a	n/a	no	yes	yes	✓		
32	Odyssey Cable Vision Limited	no	yes	yes	yes	yes	✓		
33	Procables Network Limited	n/a	n/a	n/a	no	no	✓		
34	QES 46 Limited	yes	yes	no	no	no	✓		
35	Quality Cable Service	n/a	no	no	no	no			✓
36	Rural Cable Company Limited	n/a	n/a	n/a	no	no		✓	
37	Santastic Cable Systems Ltd.	yes	yes	yes	yes	yes	✓		
38	Somane Pesole Communications Ltd.	n/a	n/a	n/a	no	no	✓		
39	Starcom Cablevision Ltd.	yes	yes	no	no	no			✓
40	Stars Cable Company Ltd.	yes	yes	no	no	no	✓		
41	St. Thomas Cable Network Limited	yes	yes	no	no	no		✓	
42	Summit Satellite Systems Limited	yes	yes	no	no	no			✓
43	Total Cable	yes	yes	no	no	no			✓
44	Tru Star Cable Television Network	yes	yes	yes	no	no			✓
45	Unique Vision Cable Co. Ltd.	no	no	no	no	no		✓	
46	Venus Cable Services	no	no	no	no	no			✓
47	Vere Cable Network Limited	n/a	n/a	n/a	no	no			✓

STV Licensees Financial Compliance

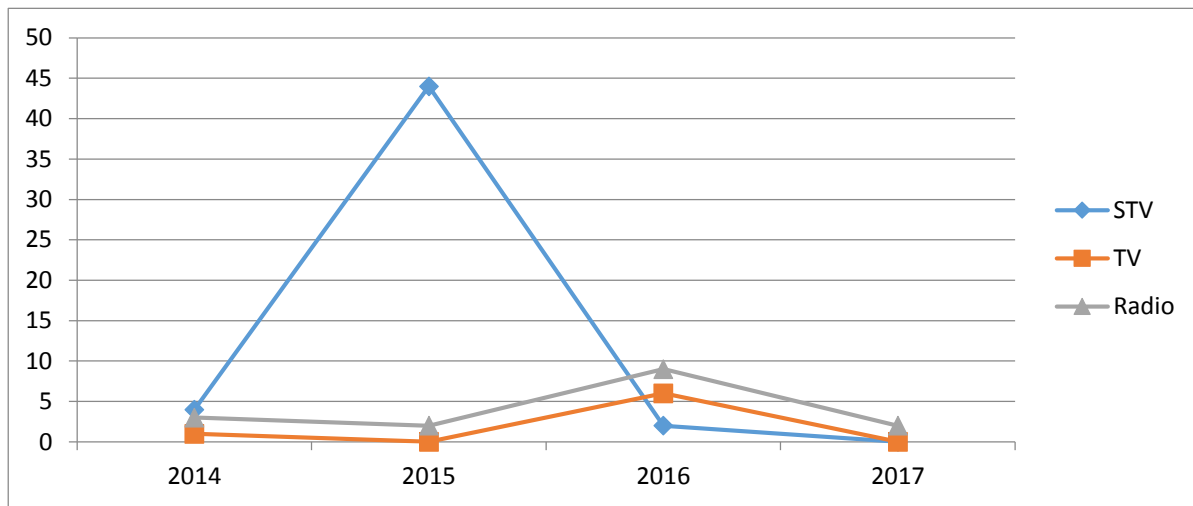
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2012	2013	2014	2015	2016	Paid in Full	Partial Payment	Non-Compliant
48	Westar Communications Limited	no	no	no	no	no	✓		
49	Wilson Enterprises Limited	yes	yes	no	no	no		✓	

NOTICES OF BREACH

During the period under review two (2) Notices of Breach were issued to licensees. Both of these notices arose from contravention of Content Standards.

Figure 3

NOTICES OF BREACH
TREND IN BREACHES COMMITTED (BY SERVICE)



	2014	2015	2016	2017
STV	4	44	2	0
TV	1	0	6	0
RADIO	3	2	9	2

Table 6
BREACHES BY LICENSEES
BREACHES BY BROADCAST RADIO LICENSEES

S & B COMMUNICATIONS LIMITED
(FYAH 105 FM)

DATE OF BREACH:	October 11, 2017
COMPLAINT NUMBER:	2017071300
NATURE OF COMPLAINT:	Inappropriate language
NATURE OF BREACH:	Breach of the Code
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Licensee directed to issue apology, Licensee complied
STATUS:	Closed

St. BESS RADIO FM COMPANY LIMITED
ST. BESS 100 FM.

DATE OF BREACH:	December 11, 2017
COMPLAINT NUMBER:	2017102400
NATURE OF COMPLAINT:	Airing of song with profane language
NATURE OF BREACH:	Breach of the Code.
COMMISSION DECISION:	Licensee in Breach
REMEDIAL ACTION:	Licensee directed to issue apology, Licensee complied.
STATUS:	Closed

**** 'Date of Breach' is meant to indicate the date on which the Commission made a determination that there was a contravention by the licensee, pursuant to Section 20 of the Broadcasting and Radio Re-Diffusion Act.**