



MONITORING & COMPLIANCE REPORT

JANUARY – MARCH
2018



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EXECUTIVE SUMMARY
BCJ- Quarterly Monitoring & Compliance Report
(January – March 2018)

During the period January – March 2018 four (4) Notices of Breach of Licence were issued to four (4) licensees. Two (2) were issued to broadcast radio licensees, one (1) to a broadcast television licensee and one (1) to subscriber television licensee. There was an increase of two (2) when compared with the previous quarter, September to December – 2017.

One Hundred and seven (107) contacts were recorded for the period January – March 2018. Of this number, eleven (11) were complaints, which resulted in investigations of broadcast radio, television and subscriber television operators. Ninety-six (96) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

Eleven (11) complaints were matters relating to content standards. There was an increase of six (6) when compared with the previous quarter, September – December 2017.

Five (5) 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; eight (8) or 16% made partial payments and sixteen (16) or 33% were non-compliant. There was no change in the number of full payments recorded when compared to the previous quarter. The number of licensees who made partial payments decreased by two (2) and there was an increase of two (2) in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

One hundred and seven (107) contacts were recorded for the period, January – March 2018. There were eleven (11) investigations and four (4) Notices of Breach of Licence.

BREAKDOWN OF CONTACTS

	January 2018	February 2018	March 2018	TOTAL
Queries, Requests and Report				
Complaints Received and Investigated	8	-	3	11
The availability of rebate to aggrieved subscriber television users.	-	3	3	6
Poor service from STV providers	12	2	3	17
Fluctuations in volume of advertisements on Television Jamaica	3	1	-	4
Other operational issues (with the exception of those indicated above)	26	27	16	69
TOTAL	49	33	25	107

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated eleven (11) complaints relating to the broadcast of problematic content. The number of complaints investigated increased by six (6) when compared to the period September to December 2017

Table 1 details the complaints investigated relating to content standards between January to March 2018, and the nature of the investigations conducted by the Commission.

Figure 1 illustrates the trend in programming standard complaints investigated in similar reporting periods since 2015.

Table 1

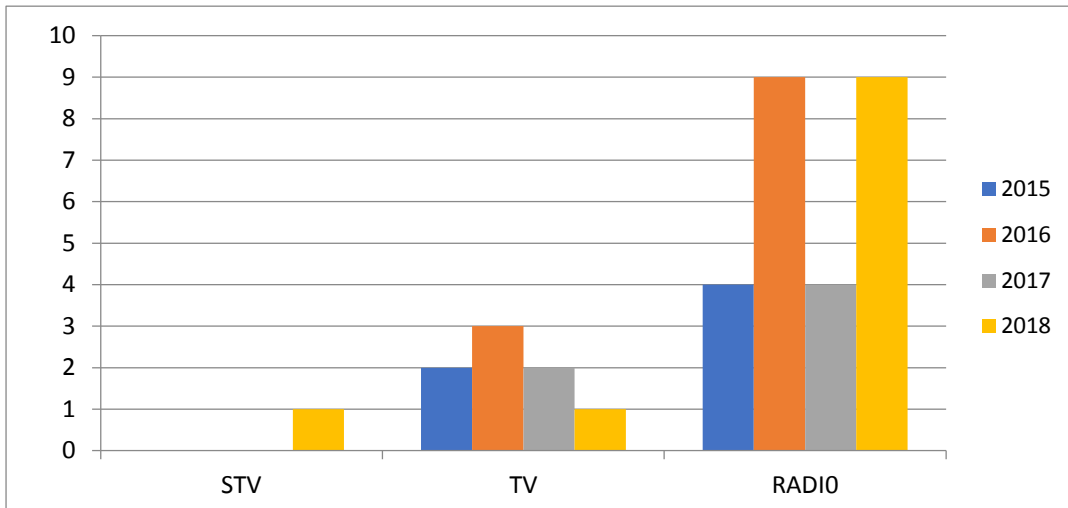
Content Standards Complaints Investigated: January - March 2018

	Transmission of song with lyrics in breach of Licence.	Transmission of song which contained profane language.	Transmission of scenes of suicide, violence and gory details during a movie.	Transmission of story in which women were referred to as cunt.	Transmission of Fake News about the importation of Rat meat into the United States, being sold as chicken wings.	Transmission of song with violent lyrics.	Transmission of advertisements on Flow's channel inviting entities to place advertisements on a suite of channels on its network.	Transmission of song with sexual content.	TOTAL
CVM Television Limited (CVM TV)			1						1
Columbus Communications Ltd. (FLOW)							1		1
S&B Communications (FYAH 105 FM)								1	1
Cornwall Broadcasting (Mello FM)		1			1				2
St. Bess Radio FM (Bess FM)								1	1
Grove Broadcasting Company Ltd. (ZIP 103 FM)	1	2		1		1			5
Total	1	3	1	1	1	1	1	2	11

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

Figure 1:

CONTENT STANDARD COMPLAINTS INVESTIGATED
Trends for Quarter (January - March) from 2015 to 2018



	2015	2016	2017	2018
STV	0	0	0	1
TV	2	3	2	1
RADIO	4	9	4	9

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

The facilities of five (5) 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: January – March 2018

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Cornwall Communications Ltd.	15(a), 15(b)	Letter dated March 7 2018 sent to licensee with one month to address breach.
2.	Modern Rebroadcasting Company Ltd.	15(b)	Letter dated March 7 2018, sent to licensee with one month to address breach.
3.	Hometime Entertainment (Marimax Communications Ltd.)	16(1), 17(4)(d), 17(4)(e),	Letter dated April 9, 2018 sent to licensee to advise of findings of inspection.
4.	Communicable Ltd.	17(4)(e),	Letter dated April 9 2018, sent to licensee to advise of findings of inspection.
5.	Network Cable Services Ltd.	17(1)b Breach of Licence analogue not addressable 17(4)d, 17(4)e	Letter dated May 2, 2018 sent to licensee to advise of findings of inspection.

COMPLAINTS RESOLUTION

Except for matters that 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.

Thirty-nine (39) investigations were resolved between January - March, 2018.

Table 3
Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	10
Broadcast Television	7
Broadcast Radio	22
Total	39

Table 4
Resolution of Complaints by Category

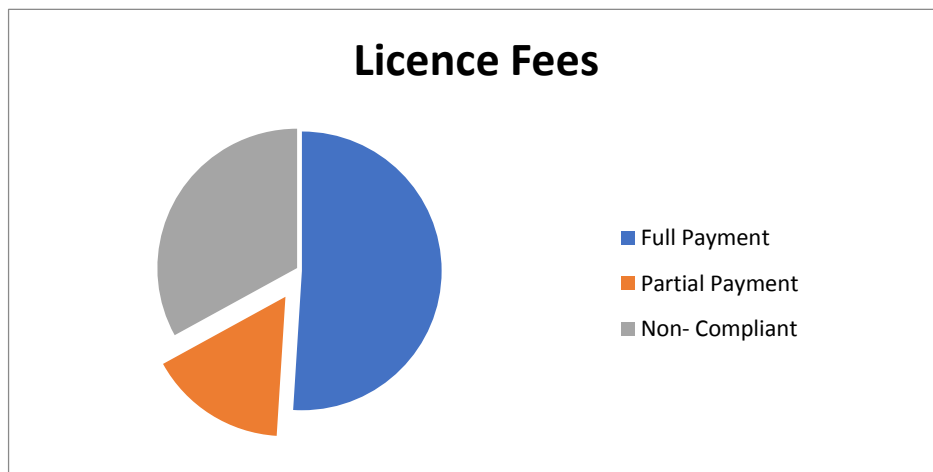
CATEGORY		TOTAL
Closed - Complied with required remedial action for breach of licence <ul style="list-style-type: none"> • Broadcast Radio • Broadcast Television 		<p align="center">1</p> <p align="center">-</p>
Closed – No Evidence of Breach <ul style="list-style-type: none"> • Broadcast Radio • Broadcast Television 		<p align="center">4</p> <p align="center">-</p>
No Further investigation required <ul style="list-style-type: none"> • Subscriber Television • Broadcast Television • Broadcast Radio 		<p align="center">10</p> <p align="center">7</p> <p align="center">17</p>
Total		39

FINANCIAL COMPLIANCE

STV operators are required to pay an annual licence fee of five percent (5%) of their gross subscription income.

Aggregate payment performance is illustrated in **Figure 3**

Figure 2



Full Payment	- 51%
Partial Payment	- 16%
Non- Compliant	- 33%

**STV Licensees Financial Compliance
For quarter ended March 31, 2018**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2013	2014	2015	2016	2017	Paid in Full	Partial Payment	Non- Compliant
1	Advance Cable Systems Ltd.	n/a	n/a	no	no	no	✓		
2	Astra Technology Ltd.	yes	yes	no	no	no	✓		
3	Cable One Jamaica Ltd. yes	yes	yes	yes	yes	yes	✓		
4	Cabletron Network Systems Ltd.	yes	yes	no	no	no		✓	
5	Central Clarendon Cable Ltd.	n/a	n/a	no	no	no		✓	
6	Central Communication Services Ltd.	yes	yes	no	no	no	✓		
7	Columbus Communications - FLOW	yes	yes	yes	no	no	✓		
8	Combined Communications Ltd.	yes	yes	no	no	no		✓	
9	Communicable Ltd.	no	no	no	no	no			✓
10	Cornwall Communications Ltd.	yes	no	no	no	no		✓	
11	CTL Limited	yes	yes	no	no	no	✓		
12	Digicel Jamaica (formerly Telstar Cable Ltd)	yes	no	no	yes	no	✓		
13	Digital Interactive Systems Limited	n/a	n/a	n/a	n/a	no			✓
14	Direct Cable Systems Ltd.	yes	no	no	no	no			✓
15	First Choice Cable	yes	no	no	no	no			✓
16	Gemini Cable Network (formerly Silly Video Cable Network Ltd)	yes	yes	yes	yes	no	✓		
17	General Satellite Network Company	yes	yes	yes	no	no			✓
18	Guthrie's Communications Ltd	yes	no	no	no	no			✓
19	Horizon Entertainment & Communication	n/a	n/a	no	yes	no	✓		
20	Inntech Communications Ltd.	yes	yes	yes	yes	no	✓		
21	Jamaica Cablevision Ltd.	yes	no	no	no	no	✓		
22	Krisara Cable Co. Ltd.	n/a	n/a	n/a	n/a	no	✓		
23	Linscom Network Limited	yes	yes	no	yes	no	✓		

STV Licensees Financial Compliance

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2013	2014	2015	2016	2017	Paid in Full	Partial Payment	Non-Compliant
24	Logic One Limited	yes	yes	yes	no	no	✓		
25	Marimaxx Communications Ltd.	no	no	no	no	no		✓	
26	Mars Cable Vision Ltd.	yes	yes	yes	yes	no	✓		
27	McKoy Cable Television Co. Ltd.	yes	yes	no	no	no			✓
28	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
29	Modern Re-Broadcasting Co. Ltd.	yes	yes	no	no	no	✓		
30	Nems Electrical & Satellite Ltd.	n/a	n/a	n/a	no	no			✓
31	Network Cable Service	n/a	no	no	yes	no	✓		
32	Odyssey Cable Vision Limited	yes	yes	yes	yes	no	✓		
33	Procables Network Limited	n/a	n/a	no	no	no	✓		
34	QES 46 Limited	yes	no	no	no	no	✓		
35	Quality Cable Service	no	no	no	no	no			✓
36	Rural Cable Company Limited	n/a	n/a	no	no	no		✓	
37	Santastic Cable Systems Ltd.	yes	yes	yes	yes	no	✓		
38	Somane Pesole Communications Ltd.	n/a	n/a	no	no	no	✓		
39	Starcom Cablevision Ltd.	yes	no	no	no	no			✓
40	Stars Cable Company Ltd.	yes	no	no	no	no	✓		
41	St. Thomas Cable Network Limited	yes	no	no	no	no		✓	
42	Summit Satellite Systems Limited	yes	no	no	no	no			✓
43	Total Cable	yes	no	no	no	no			✓
44	Tru Star Cable Television Network	yes	yes	no	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	no	no	no			✓

STV Licensees Financial Compliance

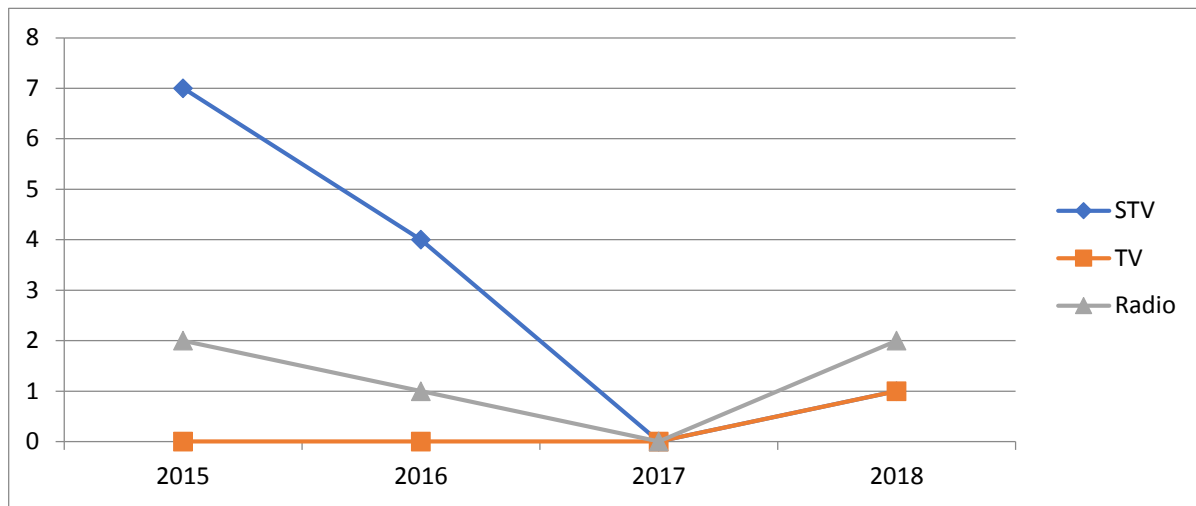
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2013	2014	2015	2016	2017	Paid in Full	Partial Payment	Non-Compliant
48	Westar Communications Limited	no	no	no	no	no	✓		
49	Wilson Enterprises Limited	yes	no	no	no	no		✓	

NOTICES OF BREACH

During the period under review, four (4) Notices of Breach were issued to licensees, three (3) of these notices arose from contravention of Content Standards and one (1) arose from contravention of Technical Standards.

Figure 3

TREND IN BREACHES COMMITTED (BY SERVICE)



	2015	2016	2017	2018
STV	7	4	0	1
TV	0	0	0	1
RADIO	2	1	0	2

Table 6

BREACHES BY LICENSEES

BREACH BY BROADCAST TELEVISION LICENSEE

CVM TELEVISION LIMITED

(CVM TV)

DATE OF BREACH: February 2, 2018
COMPLAINT NUMBER: 2017110100
NATURE OF COMPLAINT: Transmission of indecent and profane matter.
NATURE OF BREACH: Breach of the TSBR and the Code.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied
STATUS: Closed

BREACHES BY BROADCAST RADIO LICENSEES

KOMMERCIAL SUITES LIMITED

(Mega Jamz 98 FM)

DATE OF BREACH: February 2, 2018
COMPLAINT NUMBER: 2017120700
NATURE OF COMPLAINT: Transmission of excessive language in song.
NATURE OF BREACH: Breach of the TSBR and the Code.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied
STATUS: Closed

CORNWALL BROADCASTING COMPANY LIMITED

(MELLO FM)

DATE OF BREACH: March 7, 2018
COMPLAINT NUMBER: 2018012600
NATURE OF COMPLAINT: Transmission of fake news during programme.
NATURE OF BREACH: Breach of the TSBR.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee directed to transmit apology.
STATUS: Closed

TECHNICAL BREACH BY SUBSCRIBER TELEVISION LICENSEE

MC KOYS CABLE LIMITED

DATE OF BREACH:	January 23, 2018
NATURE OF BREACH:	Failure to maintain technical standards
COMMISSION DECISION:	Licence in breach
REMEDIAL ACTION:	Licensee given deadline to address breaches
STATUS:	Open

Commission made a determination that there was a contravention by the licensee, pursuant to Section 20 of the Broadcasting and Radio Re-diffusion Act.