



## MONITORING & COMPLIANCE REPORT

APRIL - JUNE  
2019



# TABLE OF CONTENTS

<b>Executive Summary</b> .....	1
<b>Introduction</b> .....	2
<b>Breakdown of Contacts</b> .....	2
<b>Programming Content Compliance</b> .....	3
<b>Technical Compliance</b> .....	6
<b>Complaints Resolution</b> .....	7
<b>Financial Compliance</b> .....	8
<b>Notices of Breach</b> .....	11

## 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 .....	7
Table 5 - STV Financial Compliance .....	9 -10
Table 6 - Breaches .....	12-13

## Charts:

Figure 1 - Content Standards Reports Trends: 2016-2019 .....	5
Figure 2 - STV Licence Fee Payment .....	8
Figure 3 - Trend in Total Breaches. 2016-2019 .....	11

**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(April– June 2019)**

During the period April– June 2019, four (4) Notices of Breach of Licence were issued to (4) broadcast radio licensees.

Thirty-seven (37) contacts were recorded for the period April– June 2019. Of this number, six (6) were complaints, which resulted in investigations of broadcast radio and television operators. Thirty-one (31) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All six (6) complaints were matters relating to content standards. The number of complaints increased by one (1) when compared with the previous quarter, January– March 2019

Six (6) 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; seven (7) or 14% made partial payments and seventeen (17) or 35% were non-compliant. There was an increase in the number of full payments when compared to the previous quarter. The number of licensees who made partial payments was decreased by one (1) and there was a decrease by one (1) in the number of non-compliant licensees.

## INTRODUCTION

### Contacts with the Commission

Thirty-seven (37) contacts were recorded for the period, April– June 2019. There were six (6) investigations and four (4) Notices of Breach of Licence.

### BREAKDOWN OF CONTACTS PROGRAMMING CONTENT COMPLIANCE

	April 2019	May 2019	June 2019	TOTAL
<b>QUERIES, REQUESTS AND REPORTS:</b>				
Licence Application process	-	-	3	<b>3</b>
Complaints Received and Investigated	3	2	1	<b>6</b>
Poor Subscriber Television Technical Service	2	1	-	<b>3</b>
Poor Technical Service from Television Operators	2		2	<b>4</b>
Concerns about Ready TV maintenance Fees	2		-	<b>2</b>
Customer issues with STV Operators		2	-	<b>2</b>
Whether the Commission regulates online advertising	2			<b>2</b>
Other operational issues (with the exception of those indicated above)	13		2	<b>15</b>
<b>TOTAL</b>	<b>24</b>	<b>5</b>	<b>8</b>	<b>37</b>

## PROGRAMMING CONTENT COMPLIANCE

The Commission investigated six (6) complaints relating to the broadcast of problematic content. The number of complaints investigated increased by one when compared to the previous quarter January to March 2019.

**Table 1** details the complaint investigated relating to content standards between April and June 2019, and the nature of the investigation conducted by the Commission.

**Figure 1** illustrates the trend in programming standard complaints investigated in similar reporting periods since 2016.

**Table 1**

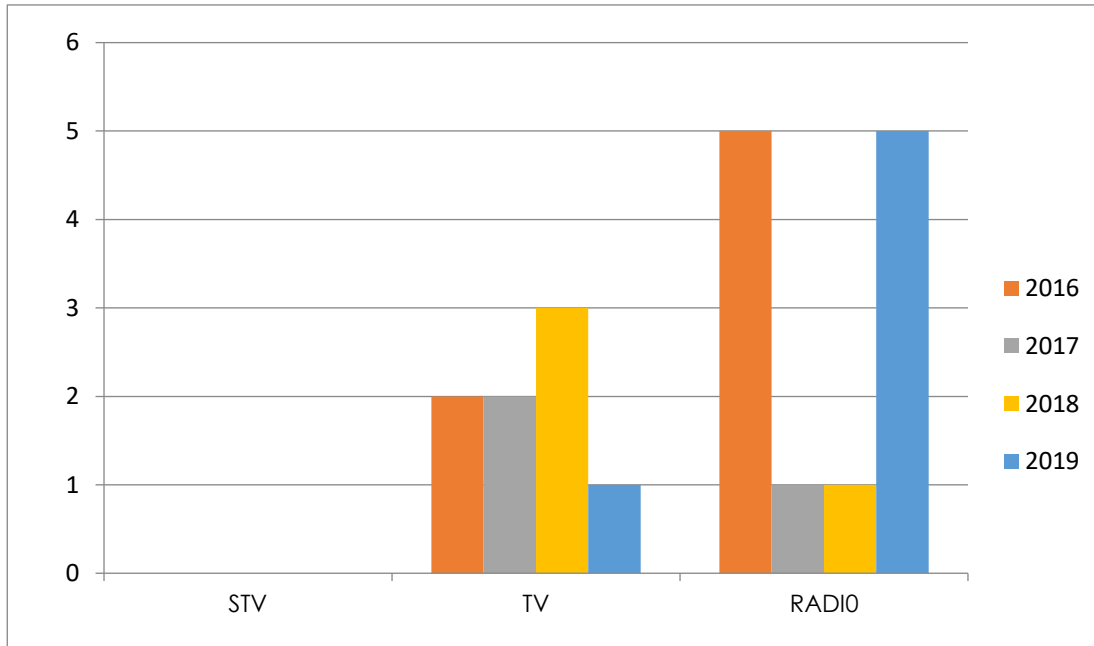
**Content Standards Complaints Investigated: April- June 2019**

	Transmission of profane language during the airing of a song	Transmission of profane language during the airing of a music video	Transmission of sexual suggestive lyrics during the airing of song	Transmission of violent lyrics during a song.		<u>Total</u>
Cornwall Broadcasting Co. Ltd.- Mello FM	1					1
RJRGleaner Communications Group -Music 99	1					1
Grove Broadcasting Co. Ltd. -ZIP 103				1		1
Mega Jamz 98	1					1
CVM Television Ltd.		1				1
Radio Jamaica Ltd. -FAME 95 FM			1			1
<b>Total</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>		<b>6</b>

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

**Figure 1:**

**CONTENT STANDARD COMPLAINTS INVESTIGATED  
Trends for Quarter (April- June) from 2016 to 2019**



	2016	2017	2018	2019
STV	0	0	0	0
TV	2	2	3	1
RADIO	5	1	1	5

## TECHNICAL COMPLIANCE

### TECHNICAL MONITORING

The facilities of six (6) 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: April – June 2019**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	CTL Limited	17(4)(d),17(4)(e) <b>Breach of Licence (2)</b>	Letter dated April 24, 2019 sent to licensee to advise of findings of inspection.
2.	Venus Cable Service Ltd.	17(1)(h),17(1)(b), 17(4)(e),17(4)(d) <b>Breach of Licence (1)</b>	Letter dated May 13, 2019 sent to licensee to advise of findings of inspection.
3.	Gemini Cable Network Ltd. (formerly Silly Video)	17(1)(4)(d),17(4)(e),	Letter dated June 3, 2019 sent to licensee to advise of findings of inspection.
4.	Combined Communications Ltd.	17(4)e,17(1)(h)	Letter dated June 3, 2019, sent to licensee to advise of findings of inspection.
5.	Quality Cable Services Ltd.	17(1)(b),17(1)(h),17(4)(c) ,15(b),17(4)(d),17(4)e, 24(2),24(4),16(1). <b>Breach of Licence (1)</b>	Breach letter dated August 8, 2019, sent to licensee to advise of findings of inspection. Licensee was also invited to a meeting at the Broadcasting Commission.
6.	JACS Cable Ltd.	17(1)(h),17(1)(b),17(4)e, 17(4) d. <b>Breach of Licence (1)</b> <b>Breach of Licence (2)</b>	Breach letter dated August 8, 2019 sent to licensee to advise of findings of inspection. Licensee was also invited to a meeting at the Broadcasting Commission.

**NB: Breach of Licence (1) means systems is not addressable**  
**Breach of Licence (2) means not providing service to a licenced zone (s)**



## 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.

Three (3) investigations were resolved between April and June 2019.

**Table 3**

**Resolution of Complaints by Licensee Type**

	No. of Investigated Complaints Resolved
Subscriber Television	-
Broadcast Television	-
Broadcast Radio	<b>3</b>
<b>Total</b>	<b>3</b>

**Table 4**

**Resolution of Complaints by Category**

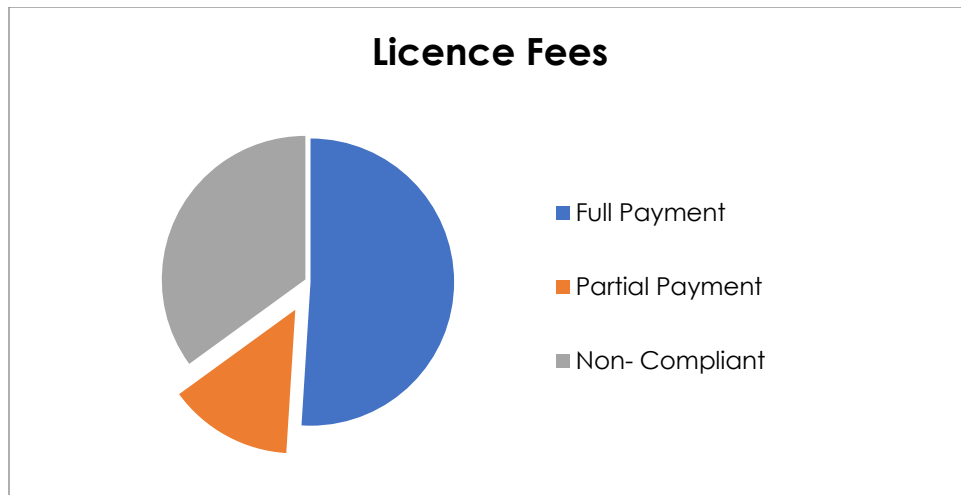
Category	Total
<b>Closed – Not in breach</b>	
Subscriber Television	-
Broadcast Radio	<b>2</b>
Broadcast Television	-
<b>Closed- No further Sanction Required</b>	
Subscriber Television	-
Broadcast Radio	-
Broadcast Television	-
<b>Closed – Complied with Required Remedial Action</b>	
Subscriber Television	-
Broadcast Radio	<b>1</b>
Broadcast Television	-
<b>Total</b>	<b>3</b>

## 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 2**

**Figure 2**



<b>Full Payment</b>	-	<b>51%</b>
<b>Partial Payment</b>	-	<b>14%</b>
<b>Non- Compliant</b>	-	<b>35%</b>

**STV Licensees Financial Compliance**  
**For quarter ended June 30, 2019**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2014	2015	2016	2017	2018	Paid in Full	Partial Payment	Non-Compliant
1	Advance Cable Systems Ltd.	n/a	no	no	no	no	✓		
2	Astra Technology Ltd.	yes	no	no	no	no	✓		
3	Cable One Jamaica Ltd. yes	yes	yes	yes	yes	no		✓	
4	Cabletron Network Systems Ltd.	yes	no	no	no	no		✓	
5	Central Clarendon Cable Ltd.	n/a	no	no	no	no			✓
6	Central Communication Services Ltd.	yes	no	yes	yes	no	✓		
7	Columbus Communications - FLOW	yes	yes	yes	yes	yes	✓		
8	Combined Communications Ltd.	yes	no	no	no	no		✓	
9	Communicable Ltd.	no	no	no	no	no			✓
10	Cornwall Communications Ltd.	no	no	no	no	no		✓	
11	CTL Limited	yes	no	no	no	no	✓		
12	Digicel Jamaica (formerly Telstar Cable Ltd)	no	no	yes	yes	yes	✓		
13	Digital Interactive Systems Limited	n/a	n/a	n/a	no	no		✓	
14	Direct Cable Systems Ltd.	no	no	no	no	no			✓
15	Gemini Cable Network	yes	yes	yes	no	no	✓		
16	General Satellite Network Company	yes	yes	no	no	no			✓
17	Guthrie's Communications Ltd	no	no	no	no	no		✓	
18	Horizon Entertainment & Communication	n/a	no	yes	no	no	✓		
19	Inntech Communications Ltd.	yes	yes	yes	no	no	✓		
20	JACS	n/a	n/a	n/a	n/a	n/a	✓		
21	Jamaica Cablevision Ltd.	no	no	no	no	no	✓		
22	Kisara Cable Co. Ltd.	n/a	n/a	n/a	no	no	✓		
23	Linscom Network Limited	yes	no	yes	yes	no			✓
24	Logic One Limited	yes	yes	yes	no	no	✓		
25	Marimaxx Communications Ltd.	no	no	no	yes	no	✓		

**STV Licensees Financial Compliance**

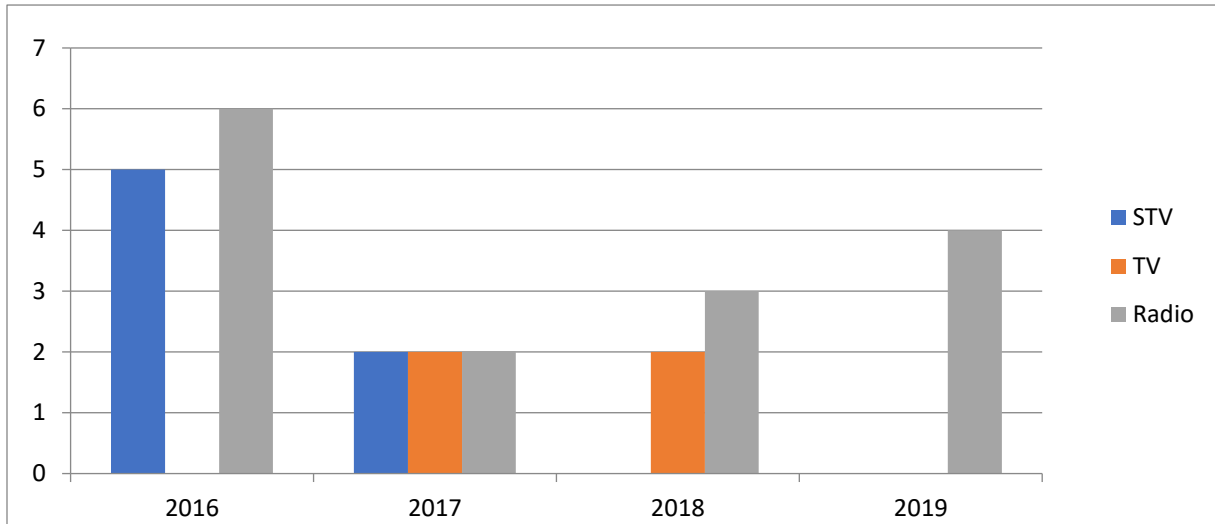
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2014	2015	2016	2017	2018	Paid in Full	Partial Payment	Non-Compliant
26	Mars Cable Vision Ltd.	yes	yes	yes	yes	no	✓		
27	McKoy Cable Television Co. Ltd.	yes	no	no	no	no			✓
28	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
29	Modern Re-Broadcasting Co. Ltd.	yes	yes	no	no	no	✓		
30	Nems Electrical & Satellite Ltd.	n/a	n/a	no	no	no			✓
31	Network Cable Service	yes	yes	yes	yes	no	✓		
32	Odyssey Cable Vision Limited	yes	yes	yes	yes	no	✓		
33	Procables Network Limited	n/a	no	no	no	no	✓		
34	QES 46 Limited	no	no	no	no	no			✓
35	Quality Cable Service	no	no	no	no	no			✓
36	Rural Cable Company Limited	n/a	no	no	no	no	✓		
37	Santastic Cable Systems Ltd.	yes	yes	yes	yes	no	✓		
38	Somane Pesole Communications Ltd.	n/a	no	no	no	no	✓		
39	Starcom Cablevision Ltd.	no	no	no	no	no			✓
40	Stars Cable Company Ltd.	no	no	no	no	no	✓		
41	St. Thomas Cable Network Limited	yes	yes	yes	yes	no		✓	
42	Summit Satellite Systems Limited	no	no	no	no	no			✓
43	Total Cable	no	no	no	no	no			✓
44	Tru Star Cable Television Network	yes	no	no	no	no			✓
45	Unique Vision Cable Co. Ltd.	no	no	no	yes	no	✓		
46	Venus Cable Services	no	no	no	no	no			✓
47	Vere Cable Network Limited	n/a	no	no	no	no			✓
48	Westar Communications Limited	no	no	no	no	no	✓		
49	Wilson Enterprises Limited	no	no	no	no	no			✓

## NOTICES OF BREACH

During the period under review four (4) Notices of Breach were issued to licensees. All four (4) of these notices arose from the contravention of Content Standards.

Figure 3

### TREND IN BREACHES COMMITTED (BY SERVICE)



	2016	2017	2018	2019
STV	5	2	0	0
TV	0	2	2	0
RADIO	6	2	3	4

## Table 6

### BREACHES BY LICENSEES

#### BREACHES BY BROADCAST RADIO LICENSEES

##### *GROVE BROADCASTING CO. LTD. (ZIP 103 FM)*

**DATE OF NOTIFICATION:** APRIL 3, 2019  
**COMPLAINT NUMBER:** 2019022000  
**NATURE OF COMPLAINT:** Transmission of content with offensive language.  
**NATURE OF BREACH:** Breach of Reg.30(d) of the TSBR and the Code. Material content rated NFT – Not Fit for Transmission.  
**COMMISSION DECISION:** Licensee in Breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed.

##### *RADIO JAMAICA LTD. (FAME 95FM)*

**DATE OF NOTIFICATION:** April 3, 2019  
**COMPLAINT NUMBER:** 2019021900  
**NATURE OF COMPLAINT:** Transmission of content with an offensive word during an outside broadcast  
**NATURE OF BREACH:** Breach of Reg. 30(d) of the TSBR and the Code. Material rated NFT- Not Fit for Transmission.  
**COMMISSION DECISION:** Licensee in Breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology and provide technical Information.  
**STATUS:** Closed.

##### *CORNWALL BROADCASTING CO. LIMITED (ENERGY FM)*

**DATE OF NOTIFICATION:** May 6, 2019  
**COMPLAINT NUMBER:** 2019040100  
**NATURE OF COMPLAINT:** Transmission of song with sexually explicit lyrics.  
**NATURE OF BREACH:** Breach of Reg. 30(d) of the TSBR and the Code. Material rated NFT- Not Fit for Transmission  
**COMMISSION DECISION:** Licensee in Breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed.

**RADIO JAMAICA LTD. (MUSIC 99 FM)**

**DATE OF NOTIFICATION:** May 31, 2019  
**COMPLAINT NUMBER:** 2019040800  
**NATURE OF COMPLAINT:** Transmission of song with excessive language  
**NATURE OF BREACH:** Breach of Reg. 30(d) of the TSBR and the Code. Content rated NFT- Not Fit for Transmission  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed.

**\*\* 'Date of Notification' 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**