



MONITORING & COMPLIANCE REPORT  
JANUARY-MARCH  
2019



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**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(January – March 2019)**

During the period January– March 2019, four (4) Notices of Breach of Licence were issued to (3) broadcast radio licensees and one (1) broadcast television licensee.

Eighty-one (81) contacts were recorded for the period January– March 2019. Of this number, five (5) were complaints, which resulted in investigations of broadcast radio operators and seventy-six (76) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All five (5) complaints were matters relating to content standards. There was a decrease of two (2) when compared with the previous quarter, October– December 2018

Ten (10) 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-four (24) subscriber television (STV) operators, or 48% of all licensees paid in full; eight(8) or 16% made partial payments and eighteen (18) or 36 % were non-compliant. There was an increase of two (2) in the number of full payments when compared to the previous quarter. The number of licensees who made partial payments was increased by one (1) and there was a decrease of three (3) in the number of non-compliant licensees.

## INTRODUCTION

### Contacts with the Commission

Eighty-one (81) contacts were recorded for the period, January– March 2019. There were five (5) investigations and four (4) Notices of Breach of Licence.

### BREAKDOWN OF CONTACTS PROGRAMMING CONTENT COMPLIANCE

	January 2019	February 2019	March 2019	TOTAL
<b>QUERIES, REQUESTS AND REPORTS:</b>				
Licence Application process	-	2	2	<b>4</b>
Complaints Received and Investigated	2	3	-	<b>5</b>
Concerns about removal of Channels and other Customer issues by Subscriber Television Operators	7	4	4	<b>15</b>
Poor Subscriber Television Technical Service	3	6	8	<b>17</b>
Poor Technical Service from Television Operators	5	-	3	<b>8</b>
Other operational issues (with the exception of those indicated above)	10	9	13	<b>32</b>
			-	
<b>TOTAL</b>	<b>27</b>	<b>24</b>	<b>30</b>	<b>81</b>

## PROGRAMMING CONTENT COMPLIANCE

The Commission investigated five (5) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by two (2) when compared to the previous quarter October to December 2018.

**Table 1** details the complaint investigated relating to content standards between January and March 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**

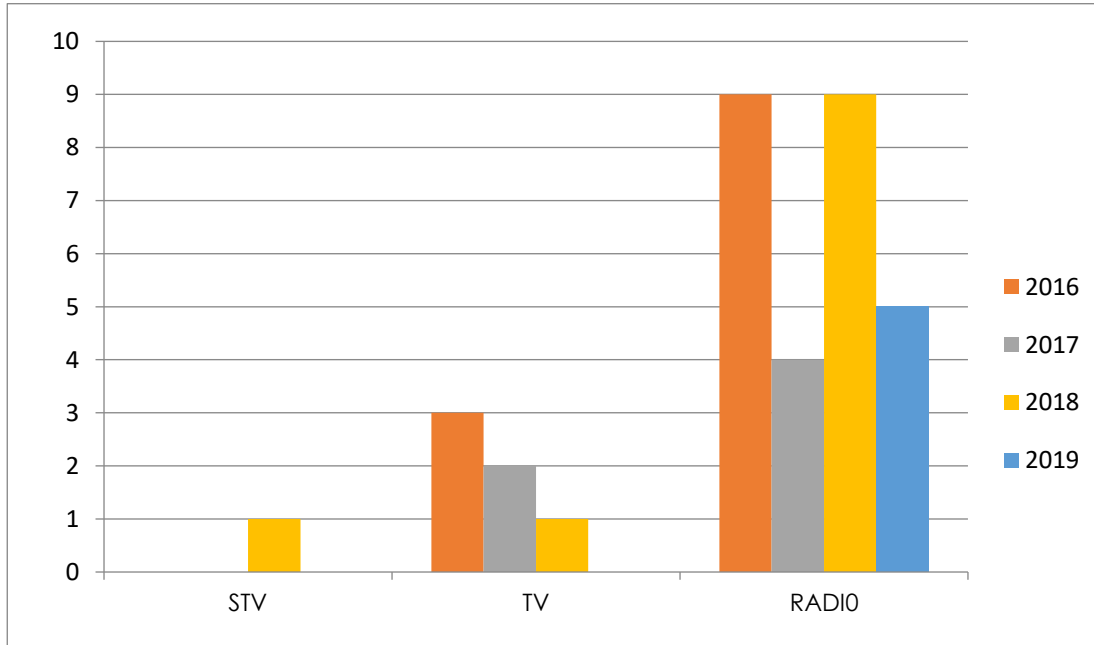
**Content Standards Complaints Investigated: January- March 2019**

	Transmission of profane language during the airing of a song	Transmission of profane language during outside broadcast	Transmission of sexual suggestive lyrics during the airing of a song	Transmission of an advertisement with inappropriate language		<u>Total</u>
S & B Communications -FYAH 105	1					1
Cornwall Broadcasting-Mello FM	1					1
FAME 95FM		1				1
ZIP 103 FM			1	1		2
<b>Total</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>		<b>5</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 (January- March) from 2016 to 2019**



	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>STV</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>TV</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>RADIO</b>	<b>9</b>	<b>4</b>	<b>9</b>	<b>5</b>

## TECHNICAL COMPLIANCE

### TECHNICAL MONITORING

The facilities of ten (10) 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 2019**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Intech Communications Ltd.	17(4)(d),17(4)(e)	Letter dated February 27, 2019 sent to licensee to advise of findings of inspection.
2.	Odyssey Cablevision Ltd.	17(4)(e)	Letter dated February 25 2019 sent to licensee to advise of findings of inspection.
3.	Cabletron Network Systems Ltd.	17(4) (d),17(4)(e), <b>Breach of Licence (2)</b>	Letter dated February 27, 2019 sent to licensee to advise of findings of inspection.
4.	Central Communications Services Ltd.	17(4)d,17(4)(e)	Letter dated March 4, 2019, sent to licensee to advise of findings of inspection.
5.	Ques 46 Ltd. T/A EH Meth Telecom	17(4)(e)	Letter dated March 26, 2019, sent to licensee to advise of findings of inspection.
6.	ProCables Network Ltd.	17(4)(d),17(4)(e),	Letter dated March 25, 2019 sent to licensee to advise of findings of inspection.
7.	Horizon Entertainment & Communication Company Ltd.	17(4)(d), 17(4)(e),	Letter dated March 26, 2019 sent to licensee to advise of findings of inspection.
8.	Modern Rebroadcasting Company Ltd.	16(1)	Letter dated April 23, 2019, sent to licensee to advise of findings of inspection.



9.	Total Cable Ltd.	17(4)(d),17(4)(e),17(1)(h) 16(1)	Letter dated April 25, 2019 sent to licensee to advise of findings of inspection.
10	Communicable Limited	17(4)(d), 17(4)(e),	Letter dated April 23, 2019 sent to licensee to advise of findings of inspection.

**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.

Seven (7) investigations were resolved between January and March 2019.

**Table 3**

### Resolution of Complaints by Licensee Type

	No. of Investigated Complaints Resolved
Subscriber Television	-
Broadcast Television	1
Broadcast Radio	6
<b>Total</b>	<b>7</b>

**Table 4**

**Resolution of Complaints by Category**

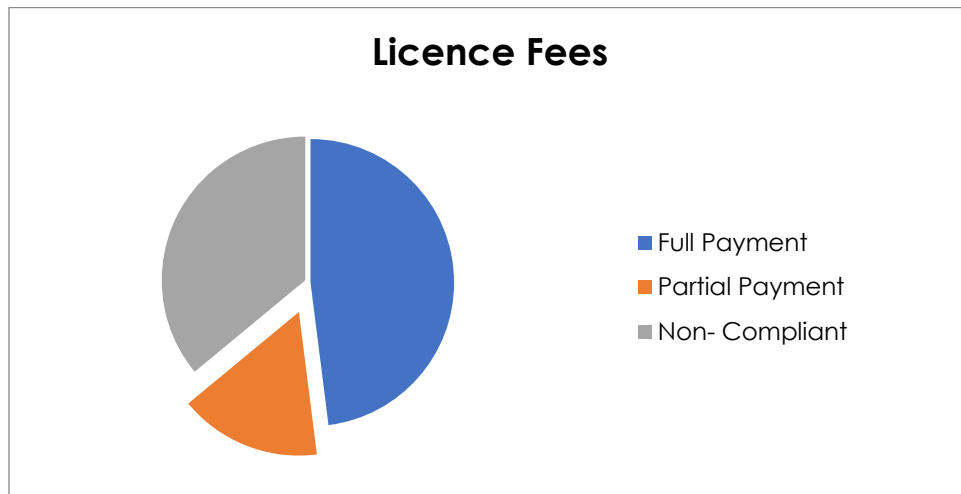
<b>Category</b>	<b>Total</b>
<b>Closed – No Evidence of Breach</b>	
Subscriber Television	-
Broadcast Radio	<b>3</b>
Broadcast Television	-
<b>Closed- No further Sanction Required</b>	
Subscriber Television	-
Broadcast Radio	-
Broadcast Television	<b>1</b>
<b>Closed – Complied with Required Remedial Action</b>	
Subscriber Television	-
Broadcast Radio	<b>3</b>
Broadcast Television	-
<b>Total</b>	<b>7</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>48%</b>
<b>Partial Payment</b>	-	<b>16%</b>
<b>Non- Compliant</b>	-	<b>36%</b>

**STV Licensees Financial Compliance**  
**For quarter ended March 31, 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	no	no	✓		
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	First Choice Cable	no	no	no	no	no			✓
16	Gemini Cable Network (formerly Silly Video Cable Network Ltd)	yes	yes	yes	no	no	✓		
17	General Satellite Network Company	yes	yes	no	no	no			✓
18	Guthrie's Communications Ltd	no	no	no	no	no		✓	
19	Horizon Entertainment & Communication	n/a	no	yes	no	no	✓		
20	Inntech Communications Ltd.	yes	yes	yes	no	no	✓		
21	JACS	n/a	n/a	n/a	n/a	n/a	✓		
22	Jamaica Cablevision Ltd.	no	no	no	no	no	✓		
23	Krisara Cable Co. Ltd.	n/a	n/a	n/a	no	no	✓		
24	Linscom Network Limited	yes	no	yes	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
25	Logic One Limited	yes	yes	yes	no	no	✓		
26	Marimaxx Communications Ltd.	no	no	no	yes	no	✓		
27	Mars Cable Vision Ltd.	yes	yes	yes	yes	no	✓		
28	McKoy Cable Television Co. Ltd.	yes	no	no	no	no			✓
29	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
30	Modern Re-Broadcasting Co. Ltd.	yes	no	no	no	no	✓		
31	Nems Electrical & Satellite Ltd.	n/a	n/a	no	no	no			✓
32	Network Cable Service	yes	yes	yes	yes	no	✓		
33	Odyssey Cable Vision Limited	yes	yes	yes	yes	no	✓		
34	Procables Network Limited	n/a	no	no	no	no	✓		
35	QES 46 Limited	no	no	no	no	no			✓
36	Quality Cable Service	no	no	no	no	no			✓
37	Rural Cable Company Limited	n/a	no	no	no	no	✓		
38	Santastic Cable Systems Ltd.	yes	yes	yes	yes	no		✓	
39	Somane Pesole Communications Ltd.	n/a	no	no	no	no	✓		
40	Starcom Cablevision Ltd.	no	no	no	no	no			✓
41	Stars Cable Company Ltd.	no	no	no	no	no	✓		
42	St. Thomas Cable Network Limited	no	no	no	no	no		✓	
43	Summit Satellite Systems Limited	no	no	no	no	no			✓
44	Total Cable	no	no	no	no	no			✓
45	Tru Star Cable Television Network	yes	no	no	no	no			✓
46	Unique Vision Cable Co. Ltd.	no	no	no	yes	no	✓		
47	Venus Cable Services	no	no	no	no	no			✓

**STV Licensees Financial Compliance**

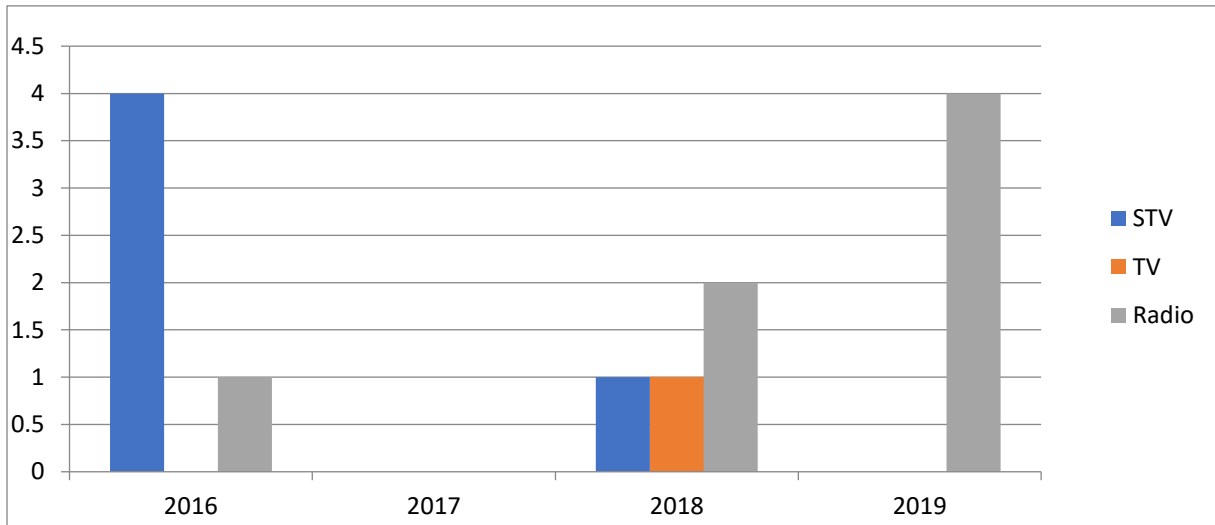
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2014	2015	2016	2017	2018	Paid in Full	Partial Payment	Non-Compliant
48	Vere Cable Network Limited	n/a	no	no	no	no			✓
49	Westar Communications Limited	no	no	no	no	no	✓		
50	Wilson Enterprises Limited	no	no	no	no	no			✓

## 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 B REACHES COMMITTED (BY SERVICE)



	2016	2017	2018	2019
STV	4	0	1	0
TV	0	0	1	0
RADIO	1	0	2	4



Table 6

BREACHES BY LICENSEES

BREACHES BY BROADCAST RADIO LICENSEES

**KOMMERCIAL SUITES LIMITED (MEGA JAMZ 98FM)**

**DATE OF NOTIFICATION:** February 4, 2019  
**COMPLAINT NUMBER:** 2018100200  
**NATURE OF COMPLAINT:** Transmission of a song with graphic language.  
**NATURE OF BREACH:** Breach of the scheduling requirements of the Code. Material attracts an L2 rating and should not be transmitted before 10:00p.m.  
**COMMISSION'S DECISION:** Licensee in Breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed.

**S & B COMMUNICATIONS (FYAH 105)**

**DATE OF NOTIFICATION:** February 8, 2019  
**COMPLAINT NUMBER:** 2019010300  
**NATURE OF COMPLAINT:** Transmission of content 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'S DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed.

**CORNWALL BROADCASTING COMPANY LTD. (Mello FM)**

**DATE OF NOTIFICATION:** February 26, 2019  
**COMPLAINT NUMBER:** 2019010900  
**NATURE OF COMPLAINT:** Transmission of a song with graphic sexual language.  
**NATURE OF BREACH:** Breach of the scheduling requirements of the Code. Material attracts PG -14 rating and should not be transmitted before 9:00p.m.  
**COMMISSION'S DECISION:** Licensee in Breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed.

## BREACHES BY BROADCAST TELEVISION LICENSEE

### *TELEVISION JAMAICA LTD. (TVJ)*

**DATE OF NOTIFICATION:** February 4, 2019  
**COMPLAINT NUMBER:** 2018103000  
**NATURE OF COMPLAINT:** Transmission of violent content during a morning time programme  
**NATURE OF BREACH:** Breach of the scheduling requirements of the Code. Material attracts PG-14 rating and should not be transmitted before 9:00p.m.  
**COMMISSION'S DECISION:** Licensee in Breach  
**REMEDIAL ACTION:** Licensee apologized. No further sanction required.  
**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**