



MONITORING & COMPLIANCE REPORT

JULY - SEPTEMBER
2020



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EXECUTIVE SUMMARY
BCJ - Quarterly Monitoring & Compliance Report
(July– September 2020)

During the period July– September 2020, two (2) Notices of Breach of Licence were issued, one (1) to a broadcast radio licensee and the other to a broadcast television licensee. There was a decrease of two (2) when compared with the previous quarter, April to June – 2020.

Seventy-three (73) contacts were recorded for the period July – September 2020. Of this number, three (3) were complaints, which resulted in investigations of broadcast operators. Seventy (70) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All three (3) complaints were matters relating to content standards. There was a decrease of four (4) when compared with the previous quarter, April – June 2020.

There was only one (1) inspection due to the impact of the COVID 19.

In relation to the payment of the annual licence fee, seventeen (17) subscriber television (STV) operators, or 35% of all licensees paid in full; six (6) or 12% made partial payments and twenty-six (26) or 53% were non-compliant. There was an increase of two (2) in the number of full payments recorded when compared to the previous quarter. The number of licensees who made partial payments increased by one (1) and there was a decrease of three (3) in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

Seventy-three (73) contacts were recorded for the period, July – September 2020. There were three (3) content standard investigations and two (2) Notices of Breach of Licence.

BREAKDOWN OF CONTACTS

| | July 2020 | August 2020 | September 2020 | TOTAL |
|--|-----------|-------------|----------------|-----------|
| Queries, Requests and Reports: | | | | |
| Licence Application process | 2 | - | 2 | 4 |
| Subscriber Television Customer service issues | 8 | 11 | 3 | 22 |
| Complaints Received and Investigated | 2 | 1 | - | 3 |
| Subscriber Television technical issues | 5 | 6 | 8 | 19 |
| Other operational issues (with the exception of those indicated above) | 8 | 10 | 7 | 25 |
| TOTAL | 25 | 28 | 20 | 73 |

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated three (3) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by four (4) when compared to the period April - June 2020.

Table 1 details the complaints investigated relating to content standards between July to September, 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 2017.

Table 1

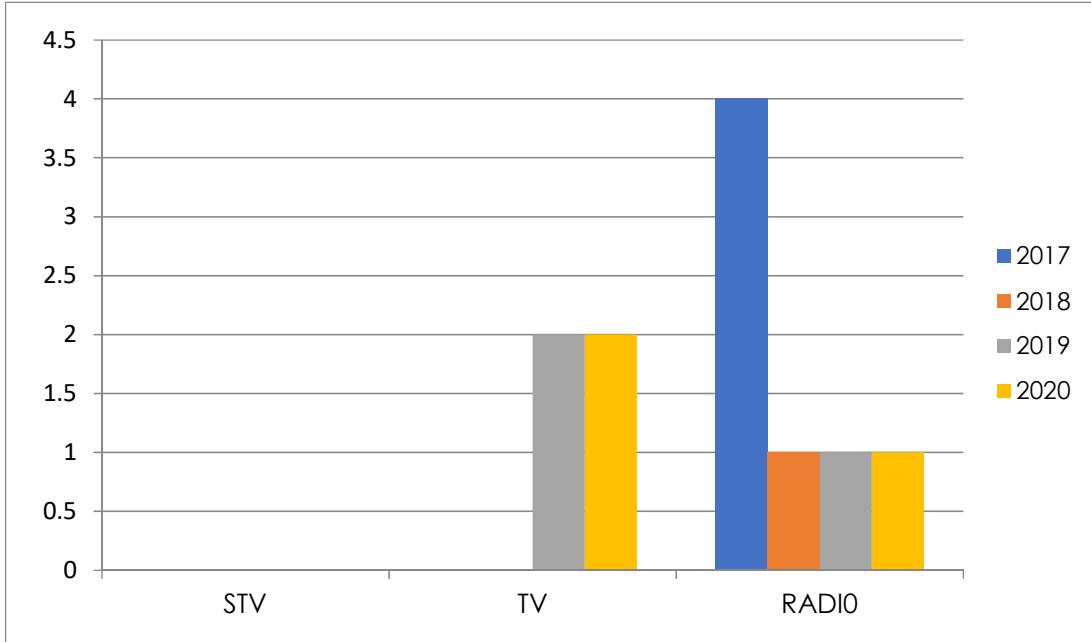
Content Standards Complaints Investigated: July –September 2020

| | Transmission of graphic expletive during CVM Live. | Transmission of an advertisement containing sexual innuendo. | Transmission of profane language during the airing of a song. | | TOTAL |
|----------------------------------|--|--|---|--|-------|
| CVM Television Ltd. | 1 | | | | 1 |
| Cornwall Broadcasting (Mello FM) | | | 1 | | 1 |
| Television Jamaica Ltd. | | 1 | | | 1 |
| | | | | | |
| TOTAL | 1 | 1 | 1 | | 3 |

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

Figure 1:

**CONTENT STANDARD COMPLAINTS INVESTIGATED
Trends for Quarter (July- September) from 2017 to 2020**



| | 2017 | 2018 | 2019 | 2020 |
|-------|------|------|------|------|
| STV | 0 | 0 | 0 | 0 |
| TV | 0 | 0 | 2 | 2 |
| RADIO | 4 | 1 | 1 | 1 |

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

There was only one technical inspection for the period July to September 2020, due to the effects of COVID 19.

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

Table 2: Technical Monitoring: July– September 2020

| | LICENSEES INSPECTED | NON-COMPLIANCE DETECTED | STATUS |
|----|--------------------------|-------------------------------------|--------------------------------|
| 1. | Astra Technology Limited | 17(1)(h); 17(4)b; 17(4)e; 17(4)d | Post inspection letter pending |
| | | | |

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 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.

Five (5) investigations were resolved between July - September, 2020.

Table 3

Resolution of Complaints by Licensee Type

| | No. of investigated complaints resolved |
|-----------------------|---|
| Subscriber Television | - |
| Broadcast Television | 3 |
| Broadcast Radio | 2 |
| Total | 5 |

Table 4

Resolution of Complaints by Category

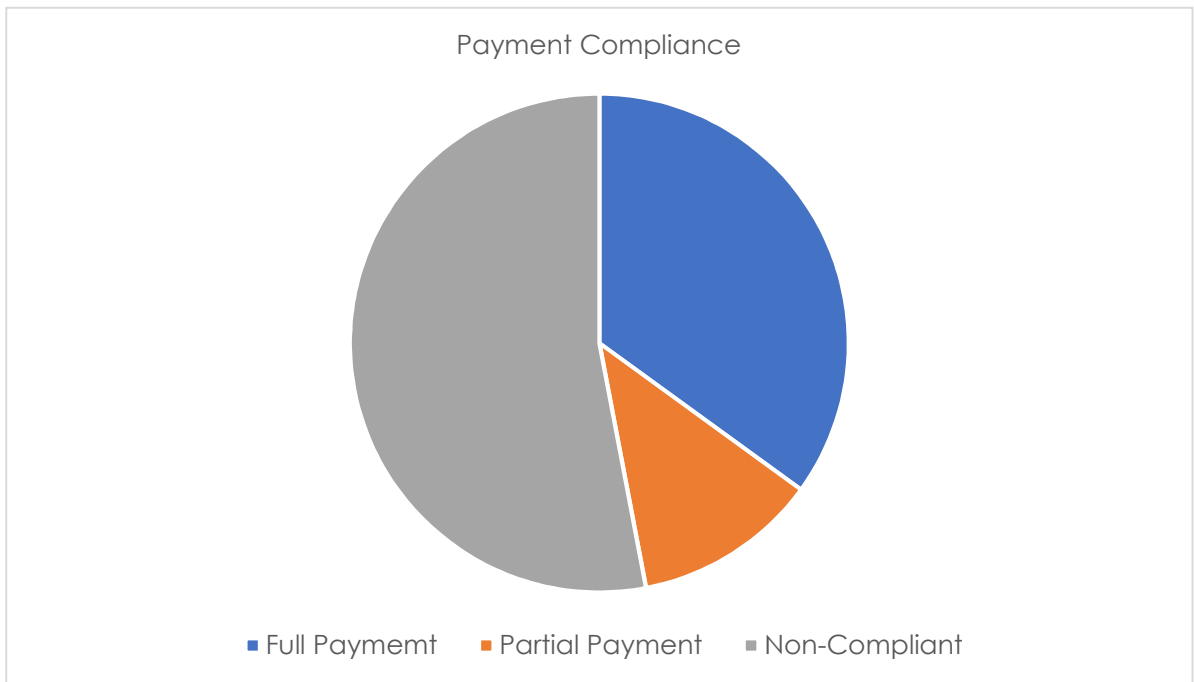
| CATEGORY | | TOTAL |
|--|----------|--------------|
| Closed - Complied with required remedial action for breach of licence | | |
| • Broadcast Radio | 1 | 1 |
| • Broadcast Television | 1 | 1 |
| Closed – No Evidence of Breach | | |
| • Broadcast Radio | 1 | 1 |
| • Broadcast Television | 1 | 1 |
| No Sanction Applied | | |
| • Broadcast Radio | - | - |
| • Broadcast Television | 1 | 1 |
| Total | 5 | 5 |

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



| | |
|------------------------|---------------|
| Full Payment | - 35 % |
| Partial Payment | - 12 % |
| Non- Compliant | - 53 % |

Table 5
STV Licensees Financial Compliance
For quarter ended September 30, 2020

| LICENSEES | | SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS: | | | | | LICENCE FEES | | |
|-----------|--|---|------|------|------|------|--------------|-----------------|---------------|
| | | 2015 | 2016 | 2017 | 2018 | 2019 | Paid in Full | Partial Payment | Non-Compliant |
| 1 | Advance Cable Systems Ltd. | no | no | no | no | no | | ✓ | |
| 2 | Astra Technology Ltd. | no | no | no | no | no | | ✓ | |
| 3 | Cable One Jamaica Ltd. | yes | yes | yes | no | Yes | | ✓ | |
| 4 | Cabletron Network Systems Ltd. | no | no | no | no | no | | | ✓ |
| 5 | Central Clarendon Cable Ltd. | no | no | no | 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. | no | no | no | no | no | | ✓ | |
| 9 | Communicable Ltd. | no | no | no | no | no | | | ✓ |
| 10 | Cornwall Communications Ltd. | no | no | no | yes | yes | | ✓ | |
| 11 | CTL Limited | no | no | no | no | no | ✓ | | |
| 12 | Digicel Jamaica (formerly Telstar Cable Ltd) | n/a | yes | yes | yes | no | | | ✓ |
| 13 | Digital Interactive Systems Limited | n/a | n/a | no | yes | no | | | ✓ |
| 14 | Direct Cable Systems Ltd. | no | no | no | no | no | | | ✓ |
| 15 | Gemini Cable Network | yes | yes | yes | yes | no | ✓ | | |
| 16 | General Satellite Network Company | yes | no | no | no | no | | | ✓ |
| 17 | Guthrie's Communications Ltd | no | no | no | no | no | | | ✓ |
| 18 | Home Time Entertainment | no | no | yes | no | no | | | ✓ |
| 19 | Horizon Entertainment & Communication | no | yes | no | no | no | ✓ | | |
| 20 | Inntech Communications Ltd. | yes | yes | no | no | no | ✓ | | |
| 21 | JACS | n/a | n/a | n/a | no | no | ✓ | | |
| 22 | Jamaica Cablevision Ltd. | no | no | no | no | no | ✓ | | |
| 23 | Krisara Cable Co. Ltd. | n/a | n/a | no | no | no | | | ✓ |
| 24 | Linscom Network Limited | no | yes | yes | no | no | | | ✓ |
| 25 | Logic One Limited | yes | yes | no | no | no | ✓ | | |

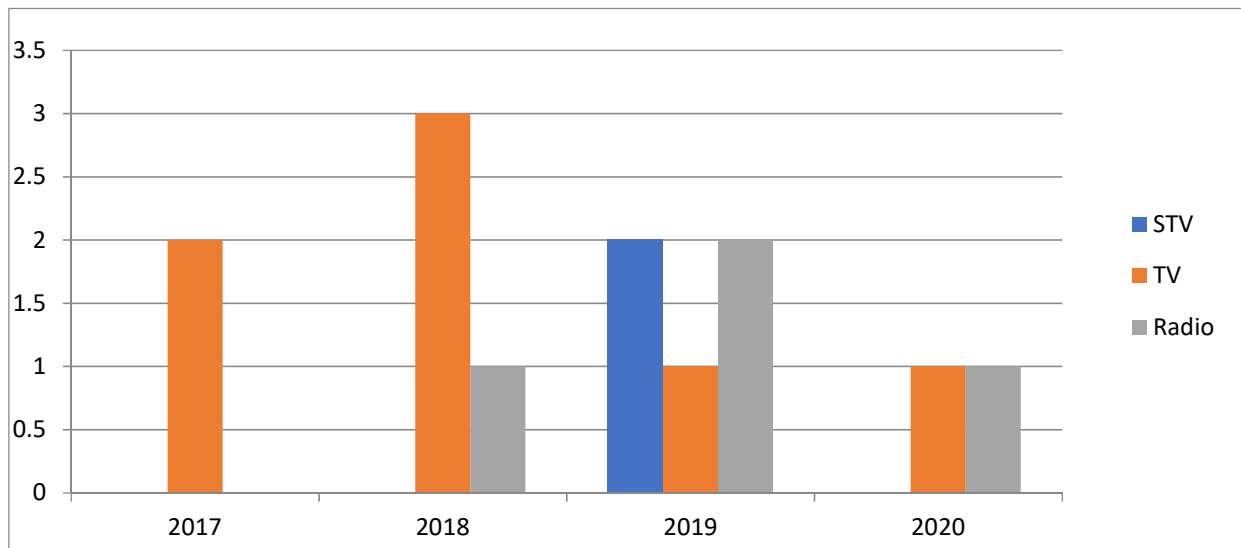
STV Licensees Financial Compliance

| LICENSEES | | SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS: | | | | | LICENCE FEES | | |
|-----------|--|---|------|------|------|------|--------------|-----------------|---------------|
| | | 2015 | 2016 | 2017 | 2018 | 2019 | Paid In Full | Partial Payment | Non-Compliant |
| 26 | Marimaxx Communications Ltd. | no | no | yes | no | no | | | ✓ |
| 27 | Mars Cable Vision Ltd. | yes | yes | yes | no | no | | ✓ | |
| 28 | McKoy's Cable Television Co. Ltd. | no | no | no | no | no | | | ✓ |
| 29 | Mikes Electronics & Cable Network Ltd. | no | no | no | no | no | | | ✓ |
| 30 | Modern Re-Broadcasting Co. Ltd. | no | yes | yes | no | no | ✓ | | |
| 31 | Nems Electrical & Satellite Ltd. | no | no | no | no | no | | | ✓ |
| 32 | Network Cable Service | yes | yes | yes | yes | no | ✓ | | |
| 33 | Odyssey Cable Vision Limited | yes | yes | yes | no | no | ✓ | | |
| 34 | Procables Network Limited | no | 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 | no | no | no | no | no | | | ✓ |
| 38 | Santastic Cable Systems Ltd. | yes | yes | yes | yes | no | | | ✓ |
| 39 | Somane Pesole Communications Ltd. | no | 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 | yes | yes | yes | 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 | no | no | no | no | no | | | ✓ |
| 46 | Venus Cable Services | no | no | no | no | no | | | ✓ |
| 47 | Vere Cable Network Limited | no | 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, two (2) Notices of Breach were issued to licensees. Both notices arose from contravention of Content Standards.

Figure 3
TREND IN BREACHES COMMITTED (BY SERVICE)



| | 2017 | 2018 | 2019 | 2020 |
|-------|------|------|------|------|
| STV | 0 | 0 | 2 | 0 |
| TV | 2 | 3 | 1 | 1 |
| RADIO | 0 | 1 | 2 | 1 |

Table 6

BREACHES BY LICENSEES

BREACH BY BROADCAST TELEVISION LICENSEE

CVM TELEVISION LIMITED (CVM TV)

DATE OF NOTIFICATION: August 3, 2020
COMPLAINT NUMBER: 2020070200
NATURE OF COMPLAINT: Transmission of graphic expletive during the airing of an episode of the programme CVM Live.
NATURE OF BREACH: Breach of the TSBR and the Code.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: The Commission accepted licensee's internal remedial action.
STATUS: Closed

BREACH BY BROADCAST RADIO LICENSEE

NATIONWIDE NEWS NETWORK (NNN)

DATE OF NOTIFICATION: July 9, 2020
COMPLAINT NUMBER: 2020052200
NATURE OF COMPLAINT: Transmission of excessive language during the airing of a song
NATURE OF BREACH: Breach of TSBR and the Code.
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Commission accepted licensee's internal remedial action.
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.**