



MONITORING & COMPLIANCE REPORT

OCTOBER – DECEMBER  
2014



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**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(October – December 2014)**

During the period October – December 2014, eight (8) Notices of Breach of Licence were issued to three (3) broadcast radio licensees, one (1) to a broadcast television licensee and four (4) to subscriber television licensees. There was a decrease of one (1) when compared with the previous quarter, July– September 2014.

One hundred and three (103) contacts were recorded for the period October – December 2014. Of this number, six (6) were complaints, which resulted in investigations of broadcast radio and television operators. Ninety seven (97) 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. There was a decrease of three (3) when compared with the previous quarter, July – September 2014.

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, thirteen (13) subscriber television (STV) operators, or 33% of all licensees paid in full; twelve (12) or 30% made partial payments and fifteen (15) or 37% were non-compliant. There was a decrease of one (1) in the number of full payments recorded when compared to the previous quarter. However, the number of licensees who made partial payments was increased by two (2) and there was decrease of one (1) in the number of non-compliant licensees.

## INTRODUCTION

### Contacts with the Commission

One hundred and three (103) contacts were recorded for the period, October – December 2014. There were six (6) investigations and eight (8) Notices of Breach of Licence.

### BREAKDOWN OF CONTACTS

	October 2014	November 2014	December 2014	TOTAL
<b>Queries, Requests and Reports:</b>				
<b>Licence Application process</b>	5	4	2	11
<b>Zoning and contact information for STV</b>	3	4	3	10
<b>Complaints Received and Investigated</b>	2	3	1	6
<b>Columbus Communications Limited's (Flow) removal of overseas channels in compliance with Copyright law.</b>	10	-	-	10
<b>The availability of rebate to aggrieved subscriber television users.</b>	-	-	2	2
<b>Commission's role in regulating fees charged by STVO's</b>	3	-	-	3
<b>Other operational issues (with the exception of those indicated above)</b>	22	26	13	61
<b>TOTAL</b>	<b>45</b>	<b>37</b>	<b>21</b>	<b>103</b>

## PROGRAMMING CONTENT COMPLIANCE

The Commission investigated six (6) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by three (3) when compared to the period July-September 2014

**Table 1** details the complaints investigated relating to programming standards between October to December 2014, 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 2011.

**Table 1**

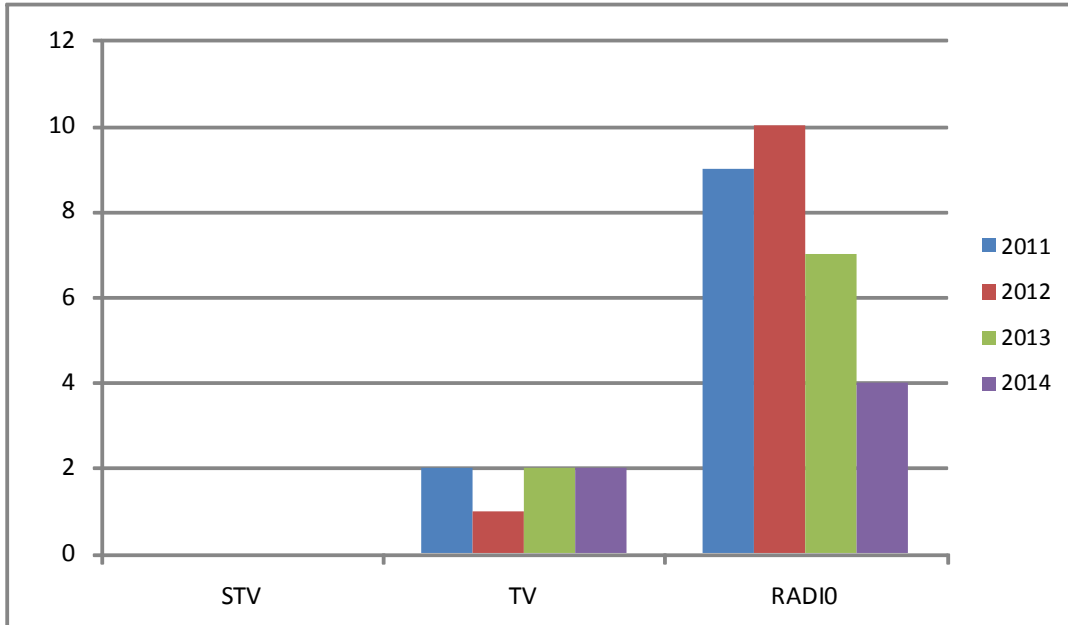
**Content Standards Complaints Investigated: October - December 2014**

	Transmission of sexually explicit images-(male gyrating against scantily clad female).	Transmission of profane language in the airing of a movie.	Transmission of violent lyrics during the airing of a song.	Transmission of content in violation of Reg. 30(k) of the TSBR. (A statement from a caller regarding the Outameni purchase and the Prime Minister		Transmission of sexually explicit lyrics.	TOTAL
CVM	1	1					2
Fame 95 FM			1				1
Grove Broadcasting (ZIP 103 FM)			1			1	2
News Talk 93 FM				1			1
<b>TOTAL</b>	<b>1</b>	<b>1</b>	<b>2</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 (October - December) from 2011 to 2014**



	2011	2012	2013	2014
STV	0	0	0	0
TV	2	1	2	2
RADIO	9	10	7	4

## 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: October – December 2014**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	CTL Limited	17(4)(e)	Licensee to be advised of breach.
2.	Jamaica Cablevision Limited	17(4)(e),17(4)(d), 17(4)(b), 16(1)	Breach of Licence letter dated January 21, 2015 sent to licensee
3.	Marimaxx Communications Limited	17(1)(b),17(4)(b), 17(4)(d),17(4)(e), 17(1)(h), Breach of Licence (1)	Breach of Licence letter dated November 28, 2014 * sent to licensee.
4.	Quality Cable Services Limited	17(1)(b),17(4)(d), 17(4)(e),17(4)(b),15(b), 16(1),17(1)(h)	Breach of Licence letter dated November 28, 2014 sent to licensee.
5.	St. Thomas Cable Network Limited	17(1)(b),17(1)(f), 17(4)(b),17(1)(h), 17(4)(d),17(4)(e), Breach of Licence	Breach of Licence letter dated January 21, 2015 sent to licensee.
6.	Total Cable Limited	17(4)(d),17(4)(e), 17(1)(b)	Breach of Licence letter dated January 21, 2015 sent to licensee.

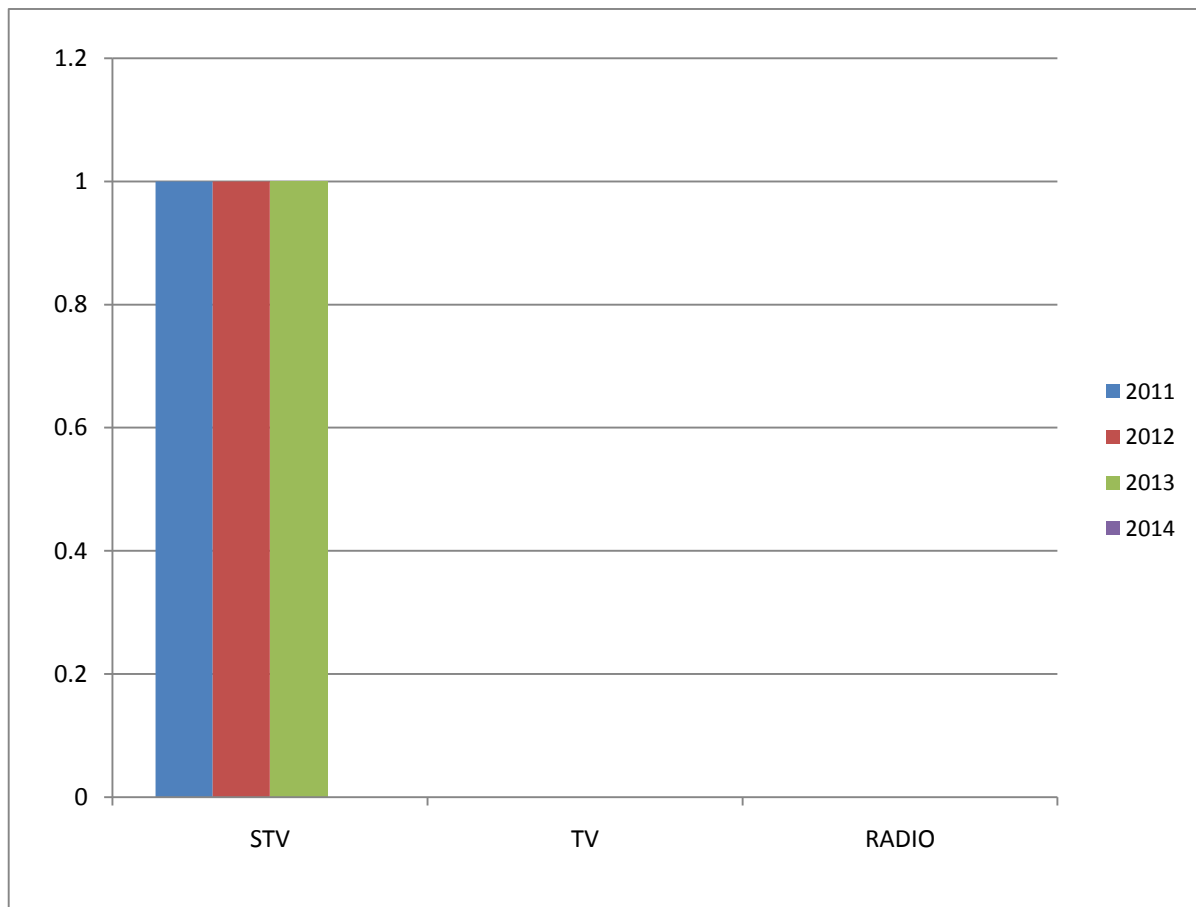


## TECHNICAL COMPLAINTS INVESTIGATIONS

For the period under review, there were no complaints relating to the technical quality of subscriber television service. The preceding period, July– September 2014, also had no complaints.

**Figure 2** illustrates the trend in technical standard complaints received in similar reporting periods since 2011.

**Figure 2**  
**TECHNICAL STANDARDS REPORT**  
**Trends for Quarter (October – December) from 2011 to 2014**



	2011	2012	2013	2014
STV	1	1	1	0
TV	0	0	0	0
RADIO	0	0	0	0

## 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.

Fifteen (15) investigations were resolved between October-December, 2014.

**Table 3**  
Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	-
Broadcast Television	7
Broadcast Radio	8
<b>Total</b>	<b>15</b>

**Table 4**  
**Resolution of Complaints by Category**

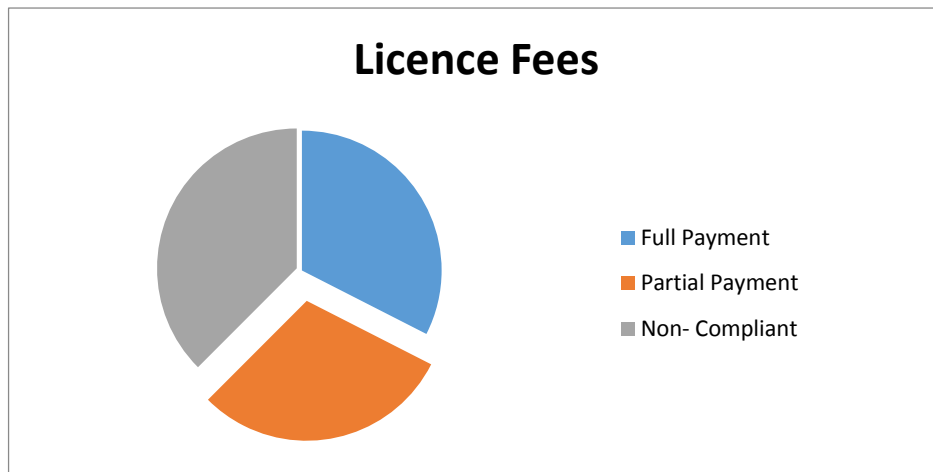
CATEGORY		TOTAL
<p><b>Closed - Complied with required remedial action for breach of licence</b></p> <ul style="list-style-type: none"> <li>• <b>Broadcast Radio</b></li> <li>• <b>Broadcast Television</b></li> </ul> <p><b>Closed – No Evidence of Breach</b></p> <ul style="list-style-type: none"> <li>• <b>Broadcast Radio</b></li> <li>• <b>Broadcast Television</b></li> </ul>		<p align="center"><b>6</b></p> <p align="center"><b>4</b></p> <p align="center"><b>2</b></p> <p align="center"><b>3</b></p>
<b>Total</b>		<b>15</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 3**

**Figure 3**



<b>Full Payment</b>	<b>- 33%</b>
<b>Partial Payment</b>	<b>- 30%</b>
<b>Non- Compliant</b>	<b>- 37%</b>

**Table 5 -STV Licensees Financial Compliance**  
**For quarter ended December 31, 2014**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2009	2010	2011	2012	2013	Paid in Full	Partial Payment	Non-Compliant
1	Astra Technology Ltd.	yes	yes	yes	yes	yes	✓		
2	Cable One Jamaica Ltd. yes	yes	yes	yes	yes	no			✓
3	Cabletron Network Systems Ltd.	yes	yes	yes	yes	no			✓
4	Central Communication Services Ltd.	yes	yes	yes	yes	yes	✓		
5	Columbus Communications - FLOW	yes	yes	yes	yes	yes	✓		
6	Combined Communications Ltd.	no	no	yes	yes	yes			✓
7	Communicable Ltd.	no	no	no	no	no		✓	
8	Cornwall Communications Ltd.	yes	yes	yes	yes	yes		✓	
9	CTL Limited	yes	yes	yes	yes	yes	✓		
10	Digital Media & Entertainment Ltd.	n/a	n/a	no	no	no			
11	Direct Cable Systems Ltd.	n/a	no	no	no	no			✓
12	First Choice Cable	yes	yes	yes	yes	no	✓		
13	General Satellite Network Company	yes	yes	yes	yes	yes			✓
14	Guthrie's Communications Ltd	yes	yes	yes	yes	yes			✓
15	Inntech Communications Ltd.	yes	yes	yes	yes	yes	✓		
16	Jamaica Cablevision Ltd.	yes	yes	yes	yes	no	✓		
17	Linscom Network Limited	yes	yes	yes	yes	yes		✓	
18	Logic One Limited	yes	yes	yes	yes	yes	✓		
19	Marimaxx Communications Ltd.	no	no	no	no	no		✓	
20	Mars Cable Vision Ltd.	yes	yes	yes	yes	no		✓	
21	McKoy's Cable Television Co. Ltd.	n/a	yes	no	yes	yes		✓	
22	Mega International Co. Ja. Ltd.	no	no	no	no	no			✓
23	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
24	Modern Re-Broadcasting Co. Ltd.	yes	yes	yes	yes	no	✓		

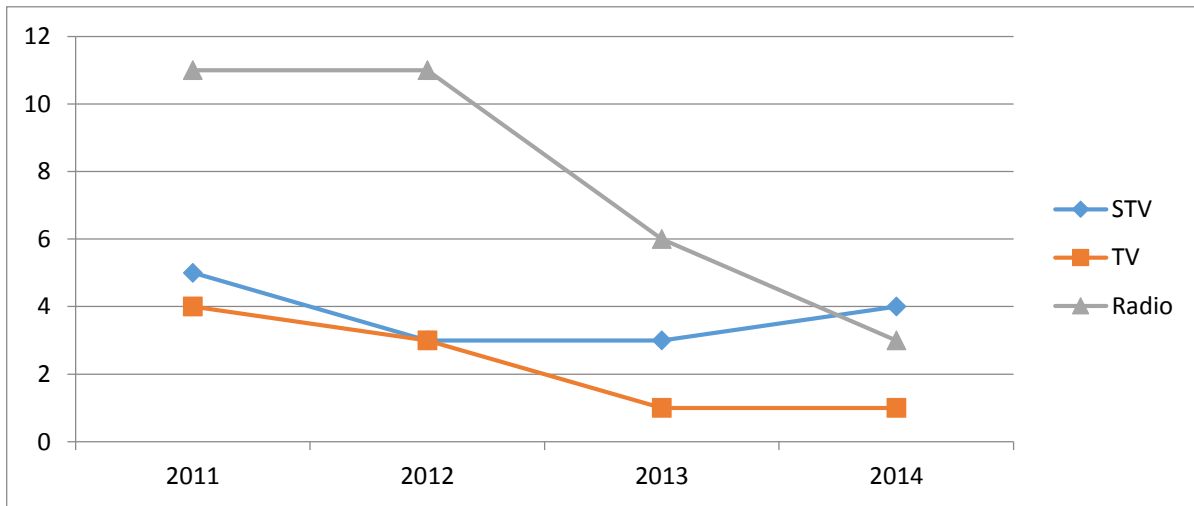
### STV Licensees Financial Compliance

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2009	2010	2011	2012	2013	Paid in Full	Partial Payment	Non-Compliant
25	Network Cable Service	n/a	n/a	n/a	n/a	n/a	✓		
26	Odyssey Cable Vision Limited	yes	yes	yes	no	yes	✓		
27	QES 46 Limited	yes	no	yes	yes	yes			✓
28	Quality Cable Service	n/a	n/a	n/a	n/a	no		✓	
29	Santastic Cable Systems Ltd.	yes	yes	yes	yes	yes		✓	
30	Silly Video Cable Network Limited	yes	yes	yes	yes	yes	✓		
31	Starcom Cablevision Ltd.	yes	yes	yes	yes	yes			✓
32	Stars Cable Company Ltd.	yes	yes	yes	yes	yes		✓	
33	St. Thomas Cable Network Limited	yes	yes	yes	yes	yes		✓	
34	Summit Satellite Systems Limited	yes	yes	yes	yes	yes			✓
35	Telstar Cable Limited	yes	yes	yes	yes	yes	✓		
36	Total Cable	yes	yes	no	yes	yes			✓
37	Tru Star Cable Television Network	no	yes	yes	yes	yes			✓
38	Unique Vision Cable Co. Ltd.	no	no	no	no	no		✓	
39	Venus Cable Services	no	no	no	no	no			✓
40	Westar Communications Limited	no	no	no	no	no		✓	
41	Wilson Enterprises Limited	yes	yes	yes	yes	yes			✓

## NOTICES OF BREACH

During the period under review, eight (8) Notices of Breach were issued to licensees, four (4) of these notices arose from contravention of Content Standards and four (4) arose from contravention of Technical Standards.

**Figure 4**  
TREND IN BREACHES COMMITTED (BY SERVICE)



	2011	2012	2013	2014
STV	5	3	3	4
TV	4	3	1	1
RADIO	11	11	6	3

**Table 6**

**BREACHES BY LICENSEES**

**BREACH BY BROADCAST TELEVISION LICENSEE**

**CVM TELEVISION LIMITED**

**DATE OF BREACH:** October 3, 2014  
**COMPLAINT NUMBER:** 2014091100  
**NATURE OF COMPLAINT:** Transmission of content containing excessive language.  
**NATURE OF BREACH:** Breach of the TSBR & the Code.  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied  
**STATUS:** Closed

**BREACHES BY BROADCAST RADIO LICENSEES**

**GROVE BROADCASTING COMPANY (IRIE FM)**

**DATE OF BREACH:** October 03, 2014  
**COMPLAINT NUMBER:** 2014082500  
**NATURE OF COMPLAINT:** Transmission of content containing excessive sexual lyrics.  
**NATURE OF BREACH:** Breach of the TSBR & the Scheduling requirements of the Code.  
**COMMISSION DECISION:** Breach of Licence  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed

**MOTHER IN CRISIS (SUNCITY RADIO)**

**DATE OF BREACH:** October 21, 2014  
**COMPLAINT NUMBER:** 2014091001  
**NATURE OF COMPLAINT:** Transmission of song with excessively violent & profane lyrics.  
**NATURE OF BREACH:** Breach of the TSBR & the Code  
**COMMISSION DECISION:** Breach of Licence  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed



**UNIVERSAL MEDIA COMPANY (Newstalk 93 FM)**

**DATE OF BREACH:** October 03, 2014  
**COMPLAINT NUMBER:** 2014082501  
**NATURE OF COMPLAINT:** Transmission of song with profane, sexually explicit lyrics'  
**NATURE OF BREACH:** Breach of the TSBR and of the Code.  
**COMMISSION DECISION:** Breach of Licence  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied.  
**STATUS:** Closed

**TECHNICAL BREACHES BY SUBSCRIBER TELEVISION LICENSEES**

**CABLETRON NETWORK LIMITED**

**DATE OF BREACH:** October 22, 2014  
**NATURE OF BREACH:** Failure to maintain technical standards  
**COMMISSION DECISION:** Licence in breach  
**REMEDIAL ACTION:** Licensee given deadline to address breaches  
**STATUS:** Open

**MARIMAXX COMMUNICATIONS LIMITED**

**DATE OF BREACH:** November 28, 2014  
**NATURE OF BREACH:** Failure to maintain technical standards  
**COMMISSION DECISION:** Licence in breach  
**REMEDIAL ACTION:** Licensee given deadline to address breaches  
**STATUS:** Open

## QUALITY CABLE SERVICES LIMITED

DATE OF BREACH: November 28, 2014  
NATURE OF BREACH: Failure to maintain technical standards  
COMMISSION DECISION: Licence in breach  
REMEDIAL ACTION: Licensee given deadline to address breaches  
STATUS: Open

## MARS CABLE VISION LIMITED

DATE OF BREACH: December 04 2014  
NATURE OF BREACH: Failure to maintain technical standards  
COMMISSION DECISION: Licence in breach  
REMEDIAL ACTION: Licensee given deadline to address breaches  
STATUS: Open

**\*\* '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.**