



## MONITORING & COMPLIANCE REPORT

OCTOBER – DECEMBER  
2018



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**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(October – December 2018)**

During the period October– December 2018, two (2) Notices of Breach of Licence were issued to (2) broadcast radio licensees.

Seventy-one (71) contacts were recorded for the period October – December 2018. Of this number, seven (7) were complaints, which resulted in investigations of broadcast radio and television operators and sixty-four (64) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All seven (7) complaints were matters relating to content standards. There was an increase of six (6) when compared with the previous quarter, July– September 2018

Eight (8) 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-two (22) subscriber television (STV) operators, or 44% of all licensees paid in full; seven (7) or 14% made partial payments and twenty-one (21) or 42 % were non-compliant. There was no change 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 an increase of two (2) in the number of non-compliant licensees.

## INTRODUCTION

### Contacts with the Commission

Seventy-one (71) contacts were recorded for the period, October– December 2018. There were seven (7) investigations and two (2) Notices of Breach of Licence.

### BREAKDOWN OF CONTACTS PROGRAMMING CONTENT COMPLIANCE

	October 2018	November 2018	December 2018	TOTAL
<b>QUERIES, REQUESTS AND REPORTS:</b>				
Licence Application process	3	2	3	8
Complaints Received and Investigated	3	4	-	7
Concerns about Ready TV monthly maintenance fees	4	2		6
Poor Subscriber Television Technical Service	6	2	3	11
Poor Technical Service Television Operators	5	2	-	7
Other operational issues (with the exception of those indicated above)	18	12	2	32
<b>TOTAL</b>	<b>39</b>	<b>24</b>	<b>8</b>	<b>71</b>

## PROGRAMMING CONTENT COMPLIANCE

The Commission investigated seven (7) complaints relating to the broadcast of problematic content. The number of complaints investigated increased by six (6) when compared to the period July - September 2018.

**Table 1** details the complaint investigated relating to content standards between October and December 2018, 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 2015.

**Table 1**

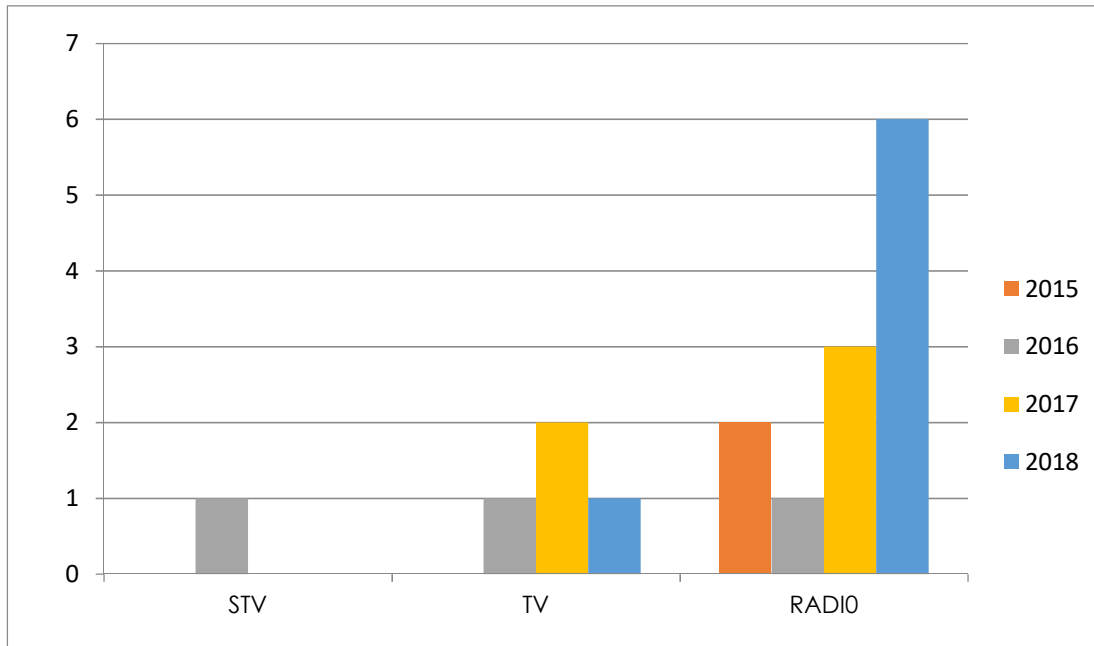
**Content Standards Complaints Investigated: October- December 2018**

<b>LICENSEE</b>	<b>Transmission of word inciting violence during a morning time programme</b>	<b>Transmission of song with mild sexual content</b>	<b>Transmission of excessive with language during a song</b>	<b>Transmission of song with sexually explicit language</b>	<b>Total</b>
<b>Television Jamaica Ltd.</b>	<b>1</b>				<b>1</b>
<b>Grove Broadcasting (Irie FM)</b>				<b>1</b>	<b>1</b>
<b>S &amp; B Communications -FYAH 105</b>			<b>2</b>		<b>2</b>
<b>Alliance Francaise (RFI)</b>		<b>1</b>	<b>1</b>		<b>2</b>
<b>Kommercial Suites Ltd. (Mega Jamz 98)</b>		<b>1</b>			<b>1</b>
<b>Total</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>7</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 2015 to 2018**



	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>STV</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>TV</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>1</b>
<b>RADIO</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>6</b>

## TECHNICAL COMPLIANCE

### TECHNICAL MONITORING

The facilities of eight (8) 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 2018**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	St. Thomas Cable Network Ltd.	17(4)(d),17(4)(e) Breach of Licence (2)	Letter dated October 22, 2018 sent to licensee to advise of findings of inspection.
2.	Samone Pesole Communications Ltd.	No Breach	Letter dated November 15, 2018 sent to licensee to advise of findings of inspection.
3.	Cable One Jamaica Ltd.	17(4) (d),17(4)(e), Breach of Licence (2)	Letter dated November 15, 2018 sent to licensee to advise of findings of inspection.
4.	Flow	15(a)	Letter dated January 17, 2019, sent to licensee to advise of findings of inspection.
5.	Wilson Enterprise Ltd./Satcum	17(4)(e)	Letter dated January 11 2019, sent to licensee to advise of findings of inspection.
6.	Santastic Cable Systems Ltd.	17(4)(e)	Letter dated January 11, 2019 sent to licensee to advise of findings of inspection.
7.	Astra Technology Limited	17(4)(d), 17(4)(e),	Letter dated January 11, 2019 sent to licensee to advise of findings of inspection.
8.	McKoy's Cable Television Company Ltd.	17(4)(e)	Letter dated January 11, 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.**



## 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 October and December 2018.

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

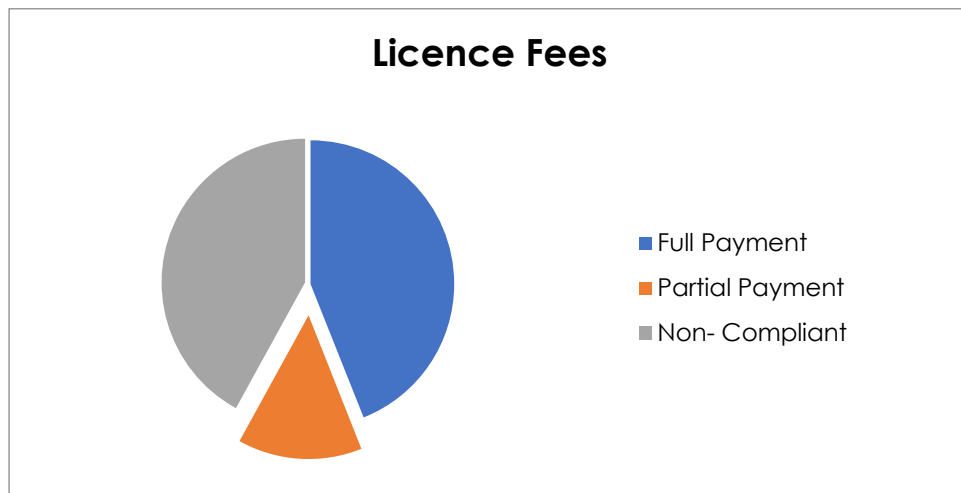
Category	Total
<b>Closed – No Evidence of Breach</b>	
Subscriber Television	
Broadcast Radio	
Broadcast Television	-
<b>Closed- No further Sanction Required</b>	
Subscriber Television	
Broadcast Radio	
Broadcast Television	-
<b>Closed – Complied with Required Remedial Action</b>	
Subscriber Television	
Broadcast Radio	<b>3</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>44%</b>
<b>Partial Payment</b>	-	<b>14%</b>
<b>Non- Compliant</b>	-	<b>42%</b>

**Table 5**  
**STV Licensees Financial Compliance**  
**For quarter ended December 31, 2018**

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**

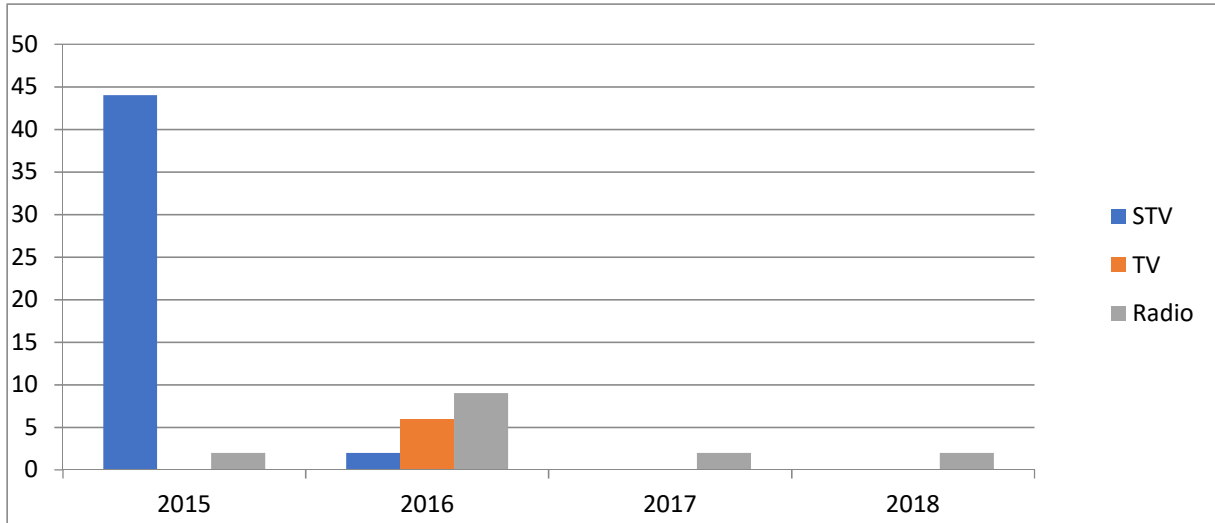
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2014	2015	2016	2017	2018	Paid in Full	Partial Payment	Non-Compliant
48	Vere Cable Network Limited	n/a	no	no	no	no			✓
49	Westar Communications Limited	no	no	no	no	no	✓		
50	Wilson Enterprises Limited	no	no	no	no	no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

## NOTICES OF BREACH

During the period under review two (2) Notices of Breach were issued to licensees. The two (2) of these notices arose from the contravention of Content Standards.

**Figure 3**

### TREND IN BREACHES COMMITTED (BY SERVICE)



	2015	2016	2017	2018
STV	44	2	0	0
TV	0	6	0	0
RADIO	2	9	2	2

Table 6

BREACHES BY LICENSEES

BREACHES BY BROADCAST RADIO LICENSEES

*KLAS SPORTS RADIO LIMITED (KLAS)*

DATE OF NOTIFICATION: November 7, 2018  
COMPLAINT NUMBER: 2018092700  
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 DECISION: Licensee in breach  
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied.  
STATUS: Closed.

*ALLIANCE FRANCAISE DE LA JAMAIQUE (RFI)*

DATE OF NOTIFICATION: November 7, 2018  
COMPLAINT NUMBER: 2018100100  
NATURE OF COMPLAINT: Transmission of a song with graphic sexual lyrics.  
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 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**