



MONITORING & COMPLIANCE REPORT

APRIL – JUNE
2017



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EXECUTIVE SUMMARY
BCJ- Quarterly Monitoring & Compliance Report
(April – June 2017)

During the period April – June 2017, six (6) Notices of Breach of Licence were issued to two (2) broadcast radio licensees, two (2) broadcast television licensees and two (2) subscriber television licensees.

Ninety-three (93) contacts were recorded for the period April – June 2017. Of this number, three (03) were complaints, which resulted in investigations of broadcast radio and television operators and ninety (90) 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 three (3) when compared with the previous quarter, January – March 2017

No STV subscriber television operator was inspected during this quarter, as the technicians have been involved in a Rezoning Project across the island.

In relation to the payment of the annual licence fee, twenty-three (23) subscriber television (STV) operators, or 49% of all licensees paid in full; ten (10) or 21% made partial payments and fourteen (14) or 30 % were non-compliant. There was an increase of one (1) in the number of full payments when compared to the previous quarter. The number of licensees who made partial payments was decreased by two (2) and there was an increase of (2) in the number of no-compliant licensees.

INTRODUCTION

Contacts with the Commission

Ninety-three (93) contacts were recorded for the period, April – June 2017. There were three (3) investigations and six (6) Notices of Breach of Licence

BREAKDOWN OF CONTACTS PROGRAMMING CONTENT COMPLIANCE

	April 2017	May 2017	June 2017	TOTAL
QUERIES, REQUESTS AND REPORTS:				
Licence Application process	3	-	2	5
Complaints Received and Investigated	-	2	1	3
Copyright Right Issues	7	-	4	11
Poor Subscriber Television Technical Service	6	14	9	29
Poor Subscriber Television Customer Service	2	4	-	6
Poor Broadcast Television Technical Service	-	2	-	2
Other operational issues (with the exception of those indicated above)	12	13	12	37
TOTAL	30	35	28	93

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated three (3) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by three (3) when compared to the period January - March 2017.

Table 1 details the complaints investigated relating to content standards between April and June 2017, 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 2014.

Table 1

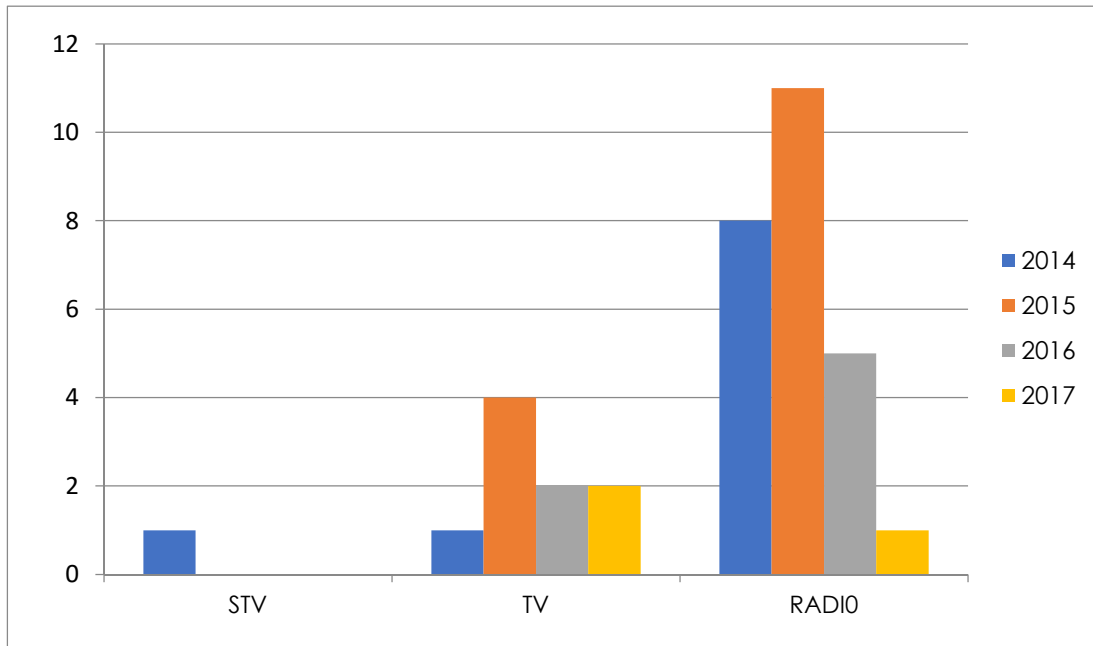
Content Standards Complaints Investigated: April- June 2017

	Transmission of PG rated song in breach of the scheduling requirement of The Code.	Transmission of content with inadequate advisory in breach of scheduling requirement of the Code.	Transmission of content containing profane language.	TOTAL
CVM Television Limited		1		1
Television Jamaica Limited			1	1
Nationwide News Network Limited - NNN	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 (April- June) from 2014 to 2017**



	2014	2015	2016	2017
STV	1	0	0	0
TV	1	4	2	2
RADIO	8	11	5	1

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.

Fifteen (15) investigations were resolved between April and Jun 2017.

Table 2

Resolution of Complaints by Licensee Type

	No. of Investigated Complaints Resolved
Subscriber Television	-
Broadcast Television	5
Broadcast Radio	10
Total	15

Table 3

Resolution of Complaints by Category

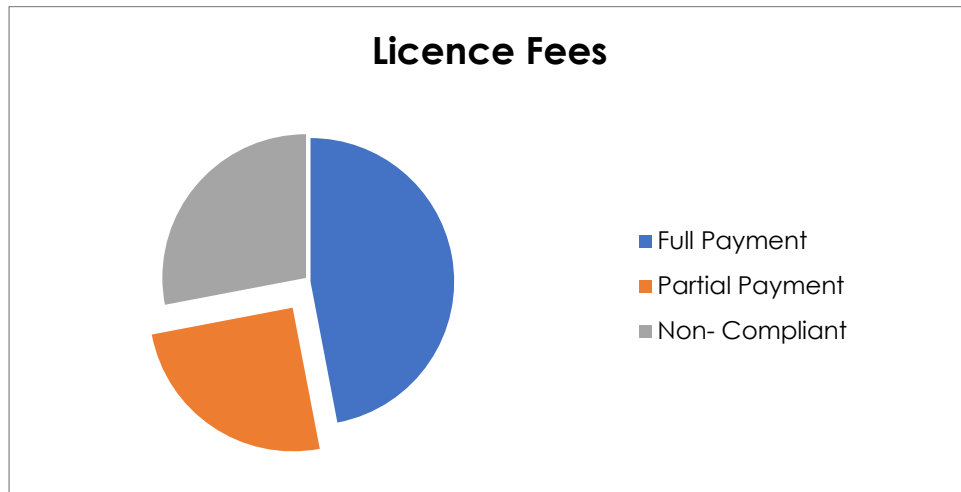
Category	Total
Closed – No Evidence of Breach	
Subscriber Television	-
Broadcast Radio	2
Broadcast Television	-
Closed- No further Sanction Required	
Subscriber Television	-
Broadcast Radio	1
Broadcast Television	2
Closed – Required Remedial Action Taken	
Subscriber Television	
Broadcast Radio	-
Broadcast Television	7
	3
Total	15

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	-	49%
Partial Payment	-	21%
Non- Compliant	-	30%

Table 4
STV Licensees Financial Compliance
For quarter ended June 31, 2017

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2012	2013	2014	2015	2016	Paid In Full	Partial Payment	Non-Compliant
1	Advance Cable Systems Ltd.	n/a	n/a	n/a	no	no	✓		
2	Astra Technology Ltd.	yes	yes	yes	no	no	✓		
3	Cable One Jamaica Ltd. yes	yes	yes	yes	yes	yes	✓		
4	Cabletron Network Systems Ltd.	yes	yes	yes	no	no		✓	
5	Central Clarendon Cable Ltd.	n/a	n/a	n/a	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.	yes	yes	yes	no	no			✓
9	Communicable Ltd.	no	no	no	no	no			✓
10	Cornwall Communications Ltd.	yes	yes	no	no	no		✓	
11	CTL Limited	yes	yes	yes	no	no	✓		
12	Digicel Jamaica (formerly Telstar Cable Ltd)	yes	yes	no	no	yes	✓		
13	Direct Cable Systems Ltd.	yes	yes	no	no	no			✓
14	First Choice Cable	yes	yes	no	no	no		✓	
15	Gemini Cable Network (formerly Silly Video Cable Network Ltd)	yes	yes	yes	no	no	✓		
16	General Satellite Network Company	yes	yes	yes	yes	no			✓
17	Guthrie's Communications Ltd	yes	yes	no	no	no		✓	
18	Horizon Entertainment & Communication	n/a	n/a	n/a	no	no	✓		
19	Inntech Communications Ltd.	yes	yes	yes	yes	yes	✓		
20	Jamaica Cablevision Ltd.	yes	yes	no	no	no	✓		
21	Linscom Network Limited	yes	yes	yes	no	yes	✓		
22	Logic One Limited	yes	yes	yes	yes	no	✓		
23	Marimaxx Communications Ltd.	no	no	no	no	no		✓	

STV Licensees Financial Compliance

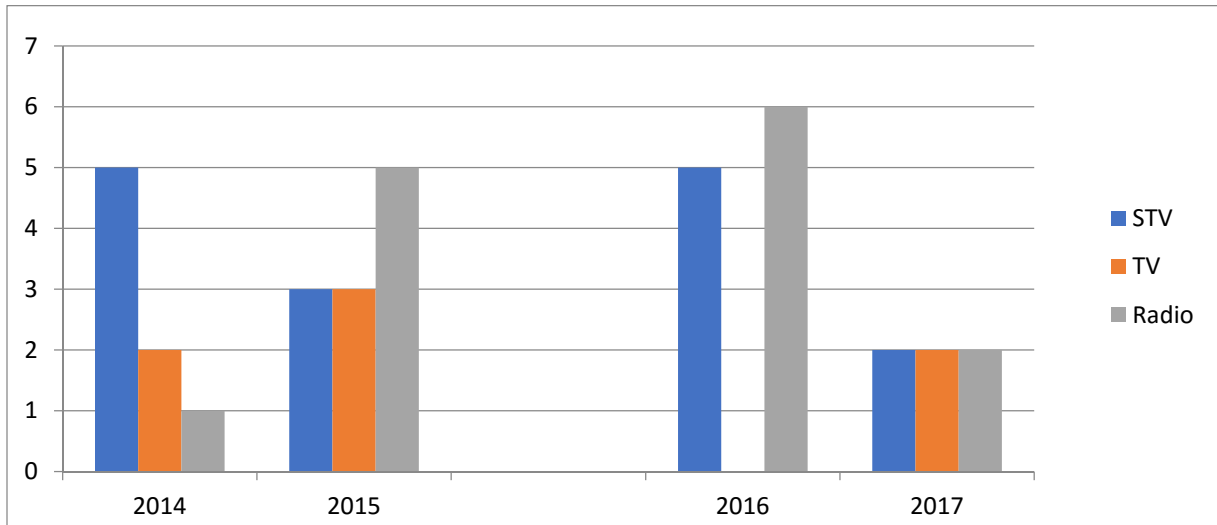
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2012	2013	2014	2015	2016	Paid in Full	Partial Payment	Non-Compliant
24	Mars Cable Vision Ltd.	yes	yes	yes	yes	yes	✓		
25	McKoy Cable Television Co. Ltd.	yes	yes	yes	no	no			✓
26	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
27	Modern Re-Broadcasting Co. Ltd.	yes	yes	yes	no	no	✓		
28	Nems Electrical & Satellite Ltd.	n/a	n/a	n/a	n/a	no			✓
29	Network Cable Service	n/a	n/a	no	yes	yes	✓		
30	Odyssey Cable Vision Limited	no	yes	yes	yes	yes	✓		
31	Procables Network Limited	n/a	n/a	n/a	no	no	✓		
32	QES 46 Limited	yes	yes	no	no	no	✓		
33	Quality Cable Service	n/a	no	no	no	no			✓
34	Rural Cable Company Limited	n/a	n/a	n/a	no	no			✓
35	Santastic Cable Systems Ltd.	yes	yes	yes	yes	yes	✓		
36	Somane Pesole Communications Ltd.	n/a	n/a	n/a	no	no	✓		
37	Starcom Cablevision Ltd.	yes	yes	no	no	no			✓
38	Stars Cable Company Ltd.	yes	yes	no	no	no	✓		
39	St. Thomas Cable Network Limited	yes	yes	no	no	no		✓	
40	Summit Satellite Systems Limited	yes	yes	no	no	no			✓
41	Total Cable	yes	yes	no	no	no			✓
42	Tru Star Cable Television Network	yes	yes	yes	no	no		✓	
43	Unique Vision Cable Co. Ltd.	no	no	no	no	no		✓	
44	Venus Cable Services	no	no	no	no	no			✓
45	Vere Cable Network Limited	n/a	n/a	n/a	no	no			✓
46	Westar Communications Limited	no	no	no	no	no		✓	
47	Wilson Enterprises Limited	yes	yes	no	no	no		✓	

NOTICES OF BREACH

During the period under review six (6) Notices of Breach were issued to licensees. Four (4) of these notices arose from the contravention of Content Standards and two (2) arose from the contravention of Technical standards.

Figure 3

TREND IN BREACHES COMMITTED (BY SERVICE)



	2014	2015	2016	2017
STV	5	3	5	2
TV	2	3	0	2
RADIO	1	5	6	2

Table 5

BREACHES BY LICENSEES

BREACHES BY BROADCAST RADIO LICENSEES

NATIONWIDE NEWS NETWORK (NATIONWIDE RADIO)

DATE OF BREACH: June 12, 2017
COMPLAINT NUMBER: 2017052400
NATURE OF COMPLAINT: Transmission of songs with graphic sexual lyrics
NATURE OF BREACH: Breach of Code
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee took own action which was accepted by Commission. Licensee to submit report of review of operational protocols and training of studio/on-air staff
STATUS: Closed.

WESTERN BROADCASTING SERVICES LIMITED (HOT 102 FM)

DATE OF BREACH: June 12, 2017
COMPLAINT NUMBER: 2017011300
NATURE OF COMPLAINT: Transmission of song with violent & sexually graphic lyrics.
NATURE OF BREACH: Breach of Reg.30 (d) and Reg. 11(3) of the TSBR and Code
COMMISSION DECISION: Licensee in Breach
REMEDIAL ACTION: Commission accepted voluntary action taken by licensee. Licensee to submit report of review of operational protocols and training of studio/on-air staff. Report no longer required based on changes in ownership /management
STATUS: Closed.

BREACHES BY BROADCAST TELEVISION LICENSEES

CVM TELEVISION LIMITED (CVM TV)

DATE OF BREACH: June 12, 2017
COMPLAINT NUMBER: 2017022700
NATURE OF COMPLAINT: Transmission of song promoting the sale and trafficking in illegal drugs.
NATURE OF BREACH: Breach of Reg. 30(d) of the TSBR.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied.
STATUS: Closed.

CVM TELEVISION (CVM TV) Continued

DATE OF BREACH: June 12, 2017
COMPLAINT NUMBER: 2016110800
NATURE OF COMPLAINT: Transmission of a profanity during live coverage of a football match.
NATURE OF BREACH: Breach of Reg. 30(d) of the TSBR and L3 of the Code. Lyrics rated NFT – Not Fit For Transmission
COMMISSION DECISION: Licensee in Breach
REMEDIAL ACTION: Commission accepted the internal remedial measures taken by the licensee and refrained from applying any further sanction.
STATUS: Closed.

BREACHES BY SUBSCRIBER TELEVISION LICENSEES

FIRST CHOICE CABLE COMPANY LIMITED

DATE OF BREACH: June 16, 2017
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licensee in Breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open.

NETWORK CABLE SERVICES LIMITED

DATE OF BREACH: June 16, 2017
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licensee 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 determination that there was a contravention by the licensee, pursuant to Section 20 of the Broadcasting and Radio Re-diffusion Act.