



MONITORING & COMPLIANCE REPORT

JULY – SEPTEMBER

2014

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EXECUTIVE SUMMARY
BCJ- Quarterly Monitoring & Compliance Report
(July – September 2014)

During the period July – September 2014, nine (9) notices of breach of licence were issued to three (3) broadcast radio licensees, one (1) to a broadcast television licensee and five (5) to subscriber television licensees. There was an increase of one (1) over the previous period April– June 2014.

One hundred and sixty-five (165) contacts were recorded for the period July – September 2014. Of this number, nine (9) were complaints, which resulted in investigations of broadcast radio and television operators. One hundred and fifty - six (156) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All nine (9) complaints were in relation to content standards. There was a decrease of one (1) when compared with the previous period, April – June 2014.

Five (5) 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, fourteen (14) subscriber television (STV) operators, or 35% of all licensees paid in full; (10) or 25% made partial payments and sixteen(16) or 40% were non-compliant. There was a decrease of three (3) 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 three (3) and there was an increase of one (1) in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

One hundred and sixty five (165) contacts were recorded for the period, July – September 2014. There were nine (9) investigations and nine (9) Notices of Breach of licence.

BREAKDOWN OF CONTACTS

	July 2014	August 2014	September 2014	TOTAL
Queries, Requests and Reports:				
Licence Application process	2			2
Zoning and contact information for STV	2			2
Complaints Received and Investigated	4	3	2	9
Converter Box Issues			2	2
Matters Concerning CVM's Exclusive Broadcast Rights		43	7	50
CVM Television Limited's Technical Capability (Inability to access CVM TV's Service)	4			4
Reports about the airing of a sexually suggestive song performed by Vybz Kartel on Irie FM		7		7
Other operational issues (with the exception of those indicated above)	46	23	20	89
TOTAL	58	76	31	165

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated nine (9) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by one (1) when compared to the period April-June 2014

Table 1 details the complaints investigated relating to programming standards between July to September 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

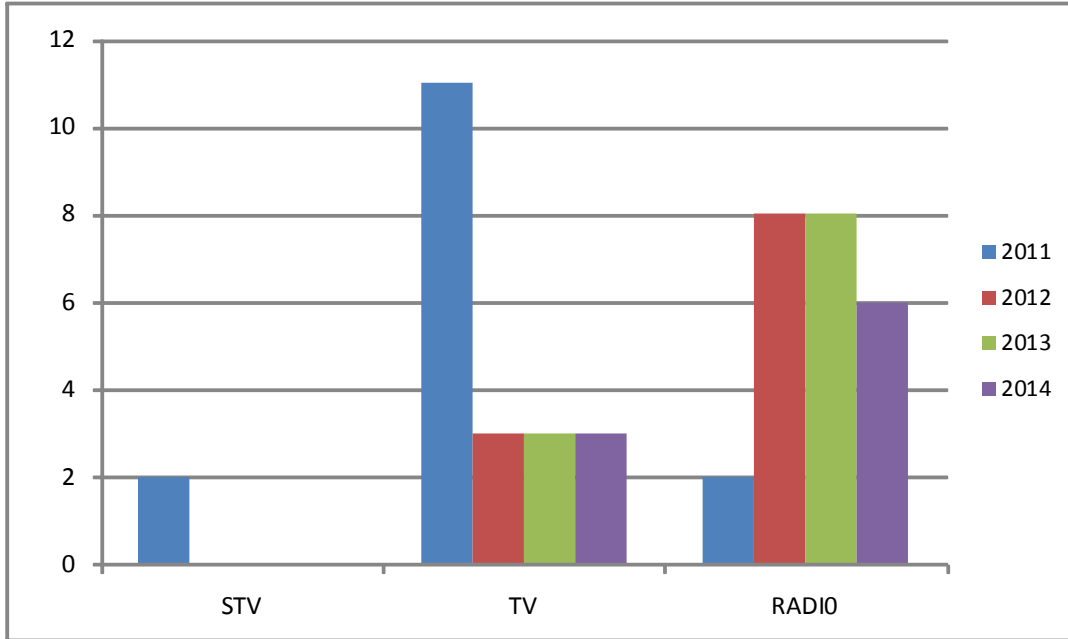
Content Standards Complaints Investigated: July - September 2014

	Transmission of highly sexual suggestive images during programme	Transmission of images with simulated sex & sadomasochism activities.	Transmission of act of bestiality	Transmission of song with excessive language	Transmission of song containing sexual suggestive lyrics.	Transmission of song containing excessive language	TOTAL
CVM	1	1	1				3
Grove Broadcasting (ZIP)				1			1
Grove Broadcasting (IRIE FM)					1		1
News Talk 93 FM					1		1
Fame 95 FM					1		1
Mother in Crisis (Sun City Radio)				1			1
Westmoreland Broadcasting (VYBZ FM)						1	1
TOTAL							9

*** 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 2011 to 2014**



	2011	2012	2013	2014
STV	2	0	0	0
TV	11	3	3	3
RADIO	2	8	8	6

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

The facilities of five (5) 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: July – September 2014

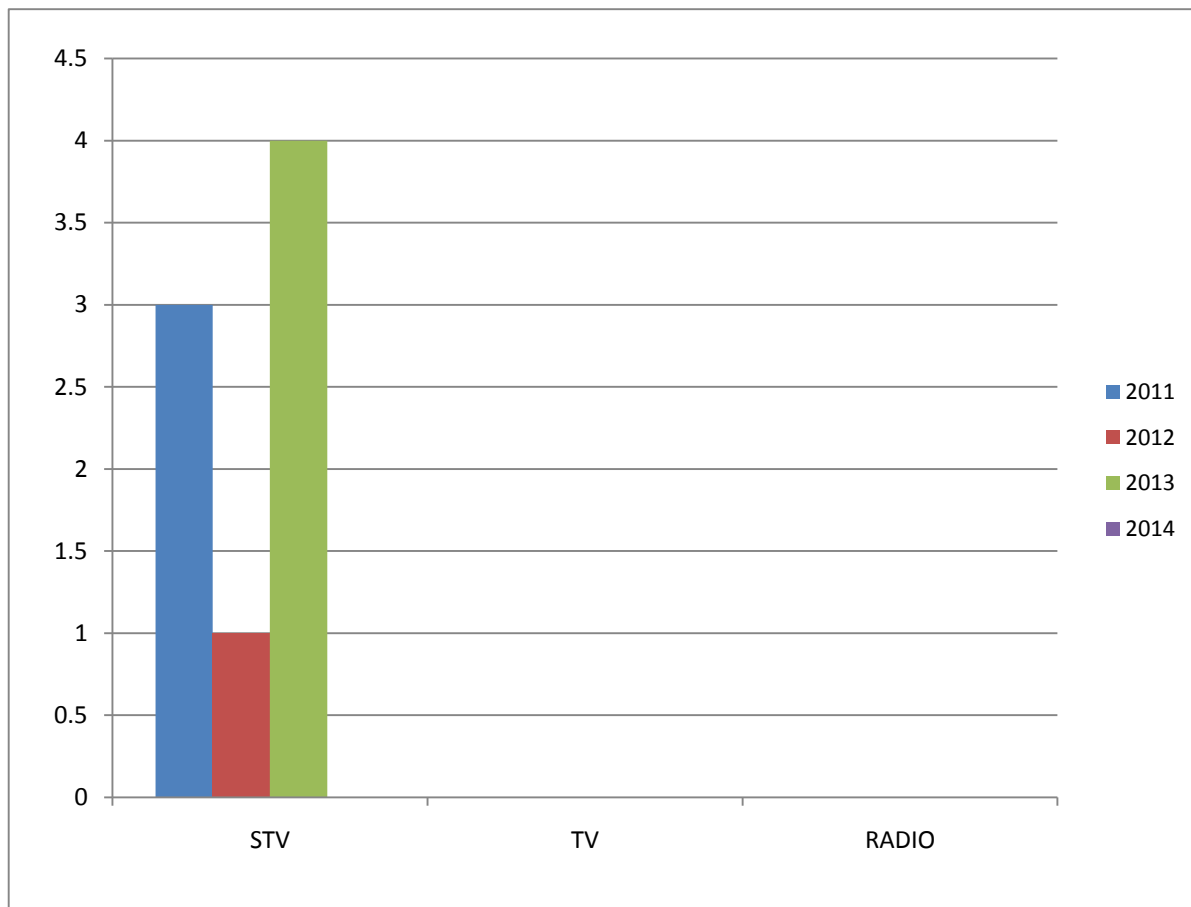
	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Summit Satellite Systems Limited	17(4)(b),17(4)(e), 17(4)(d),	Breach Letter dated July 30, 2014 sent to licensee.
2.	Tru-Star Cable Television Network Ltd.	17(1)(h),17(4)(e), 17(4)(d)	Breach letter dated July 30, 2014 sent to licensee.
3.	Direct Cable Systems Limited	17(1)(h),17(1)(b),15(a), Breach of Licence (2)	Breach Letter dated September 24, 2014 sent to licensee.
4.	Venus Vision Cable Systems Ltd.	17(1)(d),17(1)(b),17(4)(b), 17(4)(d),17(4)(e). Breach of Licence [1]	Breach Letter dated September 24, 2014, sent to licensee.
5.	Mars Cable Vision Limited	15(a),16(1),17(1)(b), 17(1)h Breach of Licence 2	Breach letter dated December 4 2014 sent to licensee.

TECHNICAL INVESTIGATIONS

For the period under review, there were no complaints relating to the technical quality of subscriber television service. The preceding period, April – June 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 (July – September) from 2011 to 2014



	2011	2012	2013	2014
STV	3	1	4	0
TV	0	0	0	0
RADIO	0	0	0	0

COMPLAINTS RESOLUTION

Except for matters that fall outside 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.

Six(6) investigations were resolved between July-September, 2014 .

Table 3
Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	1
Broadcast Television	
Broadcast Radio	5
Total	6

Table 4
Resolution of Complaints by Category

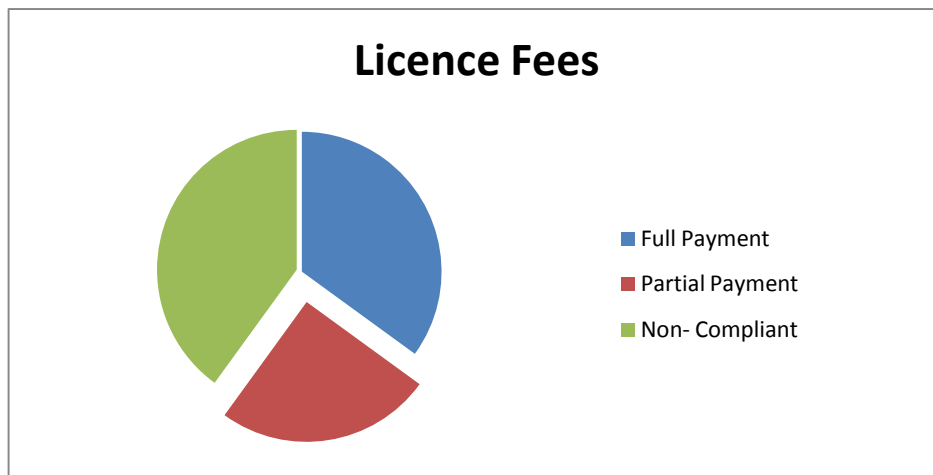
CATEGORY	TOTAL
Closed - Complied with required remedial action for breach of licence <ul style="list-style-type: none"> • Broadcast Radio • Subscriber Television 	
Closed – No Evidence of Breach <ul style="list-style-type: none"> • Broadcast Radio • Broadcast Television 	
Total	6

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



Full Payment	35%
Partial Payment	25%
Non- Compliant	40%

STV Licensees Financial Compliance
For quarter ended September 30, 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	no	no			✓
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	no	no	no		✓	
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	no	no			✓
15	Inntech Communications Ltd.	yes	yes	yes	yes	yes	✓		
16	Jamaica Cablevision Ltd.	yes	yes	yes	yes	no	✓		
17	Linscom Network Limited	yes	yes	no	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 Cable Television Co. Ltd.	n/a	no	no	no	no		✓	
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	✓		

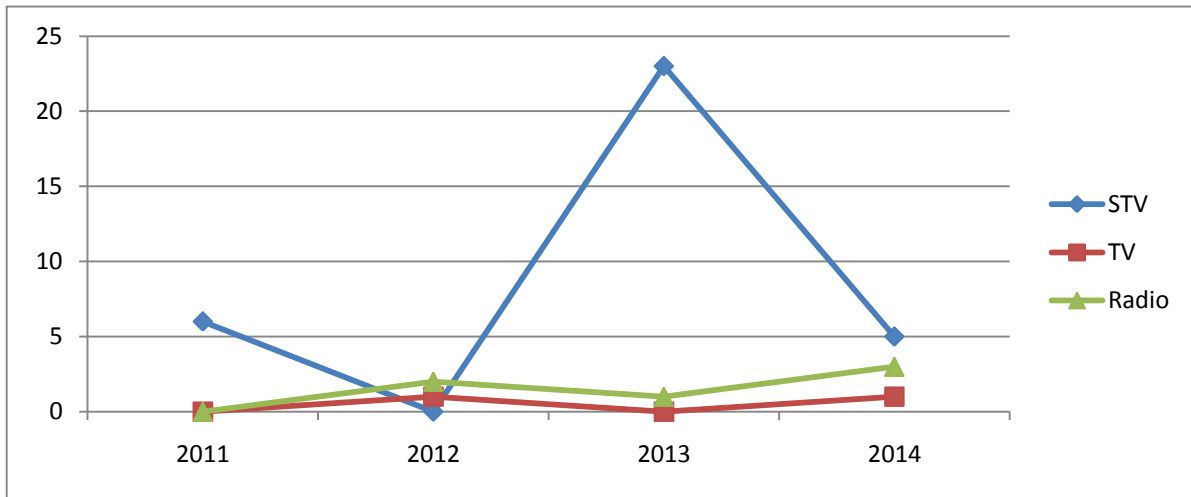
STV Licensees Financial Compliance

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	no	no	no			✓
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	no	yes	yes	no	✓		
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	no	no	no			✓
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	no	no	no			✓

NOTICES OF BREACH

During the period under review, nine (9) Notices of Breach were issued to licensees, four (4) of these notices arose from contraventions of Content Standards and five (5) arose from contraventions of Technical Standards.

Figure 4
TREND IN BREACHES COMMITTED (BY SERVICE)



	2011	2012	2013	2014
STV	6	0	23	5
TV	0	1	0	1
RADIO	0	2	1	3

Table 6

BREACH BY BROADCAST TELEVISION LICENSEES

CVM TELEVISION LIMITED

DATE OF BREACH: July 31, 2014
COMPLAINT NUMBER: 2014070101
NATURE OF COMPLAINT: Transmission of content containing graphic sexual content and medium violence.
NATURE OF BREACH: Breach of the scheduling requirements of the code.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied
STATUS: Closed

BREACHES BY BROADCAST RADIO LICENSEES

FAME 95 FM

DATE OF BREACH: July 7, 2014
COMPLAINT NUMBER: 2014060200
NATURE OF COMPLAINT: Transmission of discussion focusing on sadomasochism and violence during a morning time programme
NATURE OF BREACH: Breach of the Scheduling requirements of the Code.
COMMISSION DECISION: Breach of Licence
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied.
STATUS: Closed

DATE OF BREACH: July 31, 2014
COMPLAINT NUMBER: 2014070100
NATURE OF COMPLAINT: Transmission of song with mild sexual content
NATURE OF BREACH: Breach of the scheduling requirement of 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: July 31, 2014
COMPLAINT NUMBER: 2014062600
NATURE OF COMPLAINT: Transmission of song with an expletive
NATURE OF BREACH: Breach of Regulation 30(d) of the TSBR and L3 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

WILSON ENTERPRISES LTD.

DATE OF BREACH: July 30, 2014
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

SUMMIT SATELLITE SYSTEMS LIMITED

DATE OF BREACH: July 3, 2014
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

TRU-STAR CABLE TELEVISION

DATE OF BREACH: July 30, 2014
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

DIRECT CABLE SYSTEMS LIMITED

DATE OF BREACH: September 24, 2014
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

VENUS CABLE SERVICES LIMITED

DATE OF BREACH: September 24, 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.**