



MONITORING & COMPLIANCE REPORT

APRIL – JUNE
2018



TABLE OF CONTENTS

Executive Summary	1
Introduction	2
Breakdown of Contacts	2
Programming Content Compliance	3
Technical Compliance	6
Complaints Resolution	7
Financial Compliance	9
Notices of Breach	13

Tables:

Table 1 - Content Standards Report	4
Table 2 - Technical Monitoring	6
Table 3 - Resolution of Complaints by Licensee Type	7
Table 4 - Resolution of Complaints by Category	8
Table 5 - STV Financial Compliance	10-13
Table 6 - Breaches	14-15

Charts:

Figure 1 - Content Standards Reports Trends: 2014-2017	5
Figure 2 - STV Licence Fee Payment	9
Figure 3 - Trend in Total Breaches. 2014-2017	13

EXECUTIVE SUMMARY
BCJ- Quarterly Monitoring & Compliance Report
(April – June 2018)

During the period April – June 2018, five (5) Notices of Breach of Licence were issued to three (3) broadcast radio licensees, and two (2) to broadcast television licensees.

Seventy-three (73) contacts were recorded for the period April – June 2018. Of this number, four (4) were complaints, which resulted in investigations of broadcast radio and television operators and sixty-nine (69) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

Four (4) complaints were matters relating to content standards. There was a decrease of seven (7) when compared with the previous quarter, January – March 2018

Seven (7) 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-one (21) subscriber television (STV) operators, or 43% of all licensees paid in full; eleven (11) or 22% made partial payments and seventeen (17) or 35 % were non-compliant. There was a decrease of four (4) in the number of full payments when compared to the previous quarter. 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

Seventy-three (73) contacts were recorded for the period, April – June 2018. There were four (4) investigations and five (5) Notices of Breach of Licence

BREAKDOWN OF CONTACTS PROGRAMMING CONTENT COMPLIANCE

	April 2018	May 2018	June 2018	TOTAL
QUERIES, REQUESTS AND REPORTS:				
Licence Application process	2	-	-	2
Complaints Received and Investigated	2	1	1	4
Copyright Right Issues	-	2	2	4
Poor Subscriber Television Technical Service	3	4	5	12
Poor Subscriber Television Customer Service	-	3	3	6
Rebate Issues	7	2	-	9
Other operational issues (with the exception of those indicated above)	11	13	12	36
TOTAL	25	25	23	73

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated four (4) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by seven (7) when compared to the period January - March 2018.

Table 1 details the complaints investigated relating to content standards between April and June 2018, 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 2015.

Table 1

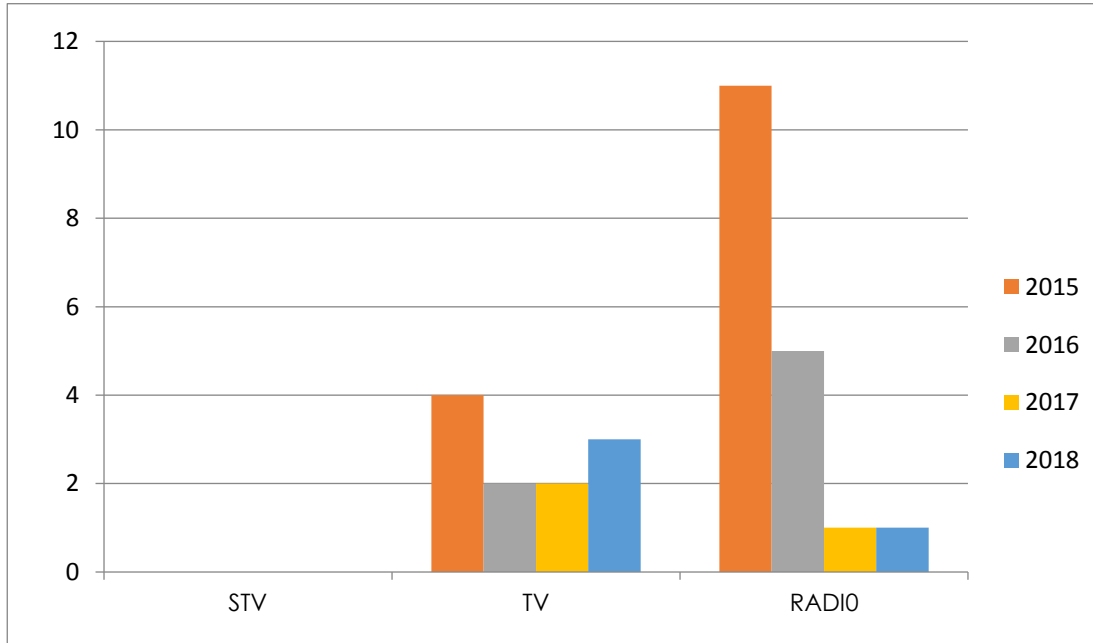
Content Standards Complaints Investigated: April- June 2018

	Transmission of the Soap Opera "Generations" with medium level violence.	Transmission of the Soap Opera "Revenge" with medium level violence.	Transmission of the Soap Opera "Power of Destiny" with mild sexual content.	Transmission of a song with sexually explicit lyrics	TOTAL
CVM Television Limited (CVM TV)		1	1		2
Television Jamaica Limited (TVJ)	1				1
Mother in Crisis (Suncity Radio)				1	1
TOTAL	1	1	1	1	4

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 2015 to 2018**



	2015	2016	2017	2018
STV	0	0	0	0
TV	4	2	2	3
RADIO	11	5	1	1

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

The facilities of seven (7) 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: April – June 2018

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Westar Communications Ltd.	17(4) (e)	Letter dated May 2, 2018 sent to licensee to advise of findings of inspection.
2.	Summit Satellite Systems Ltd.	17(4)(d), 14(4)(e)	Letter dated May 2, 2018 sent to licensee to advise of findings of inspection.
3.	First Choice Cable Services Ltd.	17(1) (b),17(1)(h), Breach of Licence (1) not addressable 15(a) 15(b)	Action pending.
4.	Starcom Cablevision Ltd.	15(b) 16(1), 17 (1)(h), 17(4)(d), 17(4)(e), 24 (2), 24(4), 17(4)(c), 17(1)(d)	Letter dated June 20, 2018, sent to licensee with three months to address breaches.
5.	General Satellite Network Company Ltd.	17(1)h,17(4)(e)	Letter dated June 29, 2018, sent to licensee with three months to address breaches.
6.	Mars Cable Vision Ltd.	15(a), 17(4)(d), 17(4)(e)	Letter dated July 6, 2018 sent to licensee to advise of findings of inspection.
7.	Krisara Cable Company Ltd.	17(1)(b), 17(1)(h), 15(a), 17(4)(e), Breach of Licence (1) not addressable	Notice of Breach of Licence dated August 22, 2018 sent to licensee with three months to address breaches.

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.

Eight (8) investigations were resolved between April and June 2018.

Table 3

Resolution of Complaints by Licensee Type

	No. of Investigated Complaints Resolved
Subscriber Television	1
Broadcast Television	2
Broadcast Radio	5
Total	8

Table 4

Resolution of Complaints by Category

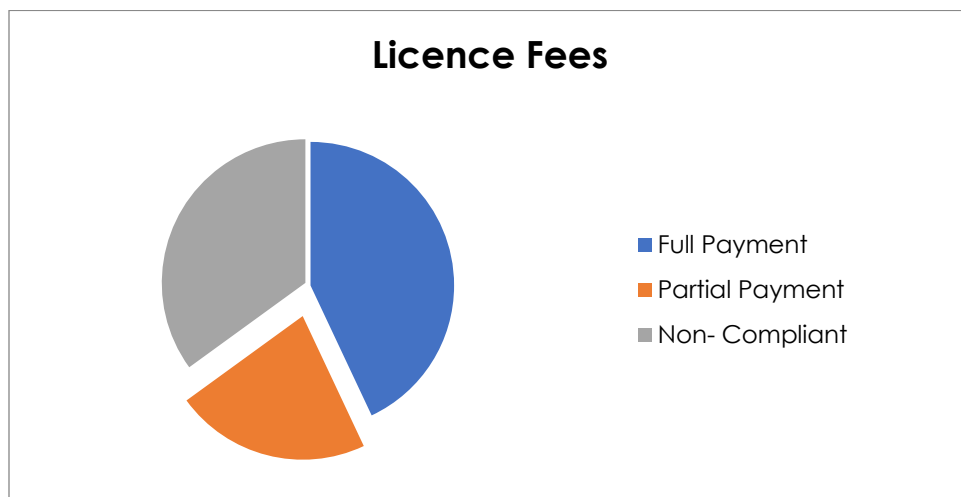
Category	Total
Closed – No Evidence of Breach	
Subscriber Television	1
Broadcast Radio	1
Broadcast Television	-
Closed- No further Sanction Required	
Subscriber Television	-
Broadcast Radio	2
Broadcast Television	2
Closed – Required Remedial Action Taken	
Subscriber Television	-
Broadcast Radio	2
Broadcast Television	-
Total	8

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	-	43%
Partial Payment	-	22%
Non- Compliant	-	35%

Table 5
STV Licensees Financial Compliance
For quarter ended June 30, 2018

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2013	2014	2015	2016	2017	Paid In Full	Partial Payment	Non-Compliant
1	Advance Cable Systems Ltd.	n/a	n/a	no	no	no	✓		
2	Astra Technology Ltd.	yes	yes	no	no	no	✓		
3	Cable One Jamaica Ltd. yes	yes	yes	yes	yes	yes	✓		
4	Cabletron Network Systems Ltd.	yes	yes	no	no	no		✓	
5	Central Clarendon Cable Ltd.	n/a	n/a	no	no	no			✓
6	Central Communication Services Ltd.	yes	yes	no	yes	yes	✓		
7	Columbus Communications - FLOW	yes	yes	yes	yes	no	✓		
8	Combined Communications Ltd.	yes	yes	no	no	no		✓	
9	Communicable Ltd.	no	no	no	no	no			✓
10	Cornwall Communications Ltd.	yes	no	no	no	no		✓	
11	CTL Limited	yes	yes	no	no	no	✓		
12	Digicel Jamaica (formerly Telstar Cable Ltd)	yes	no	no	yes	yes	✓		
13	Digital Interactive Systems Limited	n/a	n/a	n/a	n/a	no			✓
14	Direct Cable Systems Ltd.	yes	no	no	no	no			✓
15	First Choice Cable	yes	no	no	no	no			✓
16	Gemini Cable Network (formerly Silly Video Cable Network Ltd)	yes	yes	yes	yes	no	✓		
17	General Satellite Network Company	yes	yes	yes	no	no			✓
18	Guthrie's Communications Ltd	yes	no	no	no	no		✓	
19	Horizon Entertainment & Communication	n/a	n/a	no	yes	no	✓		
20	Inntech Communications Ltd.	yes	yes	yes	yes	no	✓		
21	Jamaica Cablevision Ltd.	yes	no	no	no	no	✓		
22	Krisara Cable Co. Ltd.	n/a	n/a	n/a	n/a	no	✓		
23	Linscom Network Limited	yes	yes	no	yes	no			✓

STV Licensees Financial Compliance

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2013	2014	2015	2016	2017	Paid in Full	Partial Payment	Non-Compliant
24	Logic One Limited	yes	yes	yes	yes	no	✓		
25	Marimaxx Communications Ltd.	no	no	no	no	yes		✓	
26	Mars Cable Vision Ltd.	yes	yes	yes	yes	yes	✓		
27	McKoy Cable Television Co. Ltd.	yes	yes	no	no	no			✓
28	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
29	Modern Re-Broadcasting Co. Ltd.	yes	yes	no	no	no	✓		
30	Nems Electrical & Satellite Ltd.	n/a	n/a	n/a	no	no			✓
31	Network Cable Service	n/a	no	no	yes	yes	✓		
32	Odyssey Cable Vision Limited	yes	yes	yes	yes	yes	✓		
33	Procables Network Limited	n/a	n/a	no	no	no	✓		
34	QES 46 Limited	yes	no	no	no	no	✓		
35	Quality Cable Service	no	no	no	no	no			✓
36	Rural Cable Company Limited	n/a	n/a	no	no	no		✓	
37	Santastic Cable Systems Ltd.	yes	yes	yes	yes	no		✓	
38	Somane Pesole Communications Ltd.	n/a	n/a	no	no	no		✓	
39	Starcom Cablevision Ltd.	yes	no	no	no	no			✓
40	Stars Cable Company Ltd.	yes	no	no	no	no		✓	
41	St. Thomas Cable Network Limited	yes	no	no	no	no		✓	
42	Summit Satellite Systems Limited	yes	no	no	no	no			✓
43	Total Cable	yes	no	no	no	no		✓	
44	Tru Star Cable Television Network	yes	yes	no	no	no			✓
45	Unique Vision Cable Co. Ltd.	no	no	no	no	yes	✓		
46	Venus Cable Services	no	no	no	no	no			✓
47	Vere Cable Network Limited	n/a	n/a	no	no	no			✓

STV Licensees Financial Compliance

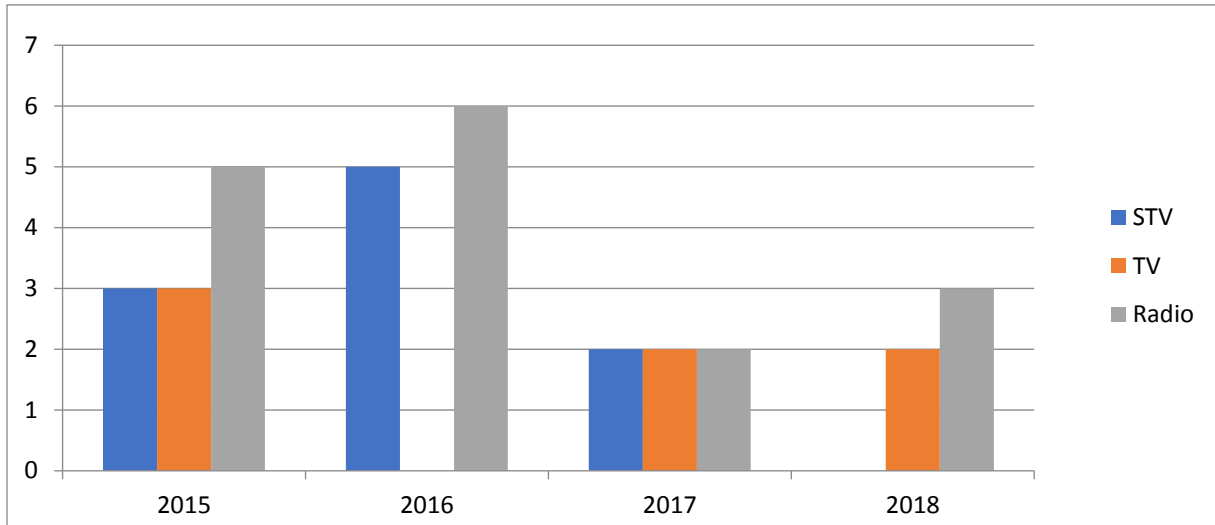
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2013	2014	2015	2016	2017	Paid in Full	Partial Payment	Non-Compliant
48	Westar Communications Limited	no	no	no	no	no	✓		
49	Wilson Enterprises Limited	yes	no	no	no	no			✓

NOTICES OF BREACH

During the period under review five (5) Notices of Breach were issued to licensees. All five (5) of these notices arose from the contravention of Content Standards.

Figure 3

TREND IN BREACHES COMMITTED (BY SERVICE)



	2015	2016	2017	2018
STV	3	5	2	0
TV	3	0	2	2
RADIO	5	6	2	3

Table 6

BREACHES BY LICENSEES

BREACHES BY BROADCAST RADIO LICENSEES

GROVE BROADCASTING COMPANY LIMITED (ZIP 103 FM)

DATE OF NOTIFICATION: April 6, 2018
COMPLAINT NUMBER: 2018013100
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: Commission accepted the voluntary action taken by licensee.
STATUS: Closed.

S & B COMMUNICATIONS (FYAH 105 FM)

DATE OF NOTIFICATION: May 3, 2018
COMPLAINT NUMBER: 2018031200
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 10:00p.m.
COMMISSION DECISION: Licensee in Breach
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied.
STATUS: Closed.

GROVE BROADCASTING COMPANY LIMITED (ZIP 103 FM)

DATE OF NOTIFICATION: June 5, 2018
COMPLAINT NUMBER: 2018032600
NATURE OF COMPLAINT: Transmission of a song with explicit language
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 voluntary action taken by licensee.
STATUS: Closed.

BREACHES BY BROADCAST TELEVISION LICENSEE

CVM TELEVISION LIMITED (CVM TV)

DATE OF NOTIFICATION: April 6, 2018
COMPLAINT NUMBER: 2018013000
NATURE OF COMPLAINT: Transmission of movie with suicidal act, graphic violence and gory details.
NATURE OF BREACH: Breach of Reg. 30(g) and Reg. 30(h) of the TSBR and violent content (V3) of the Code. The content should not be transmitted before 10:00 p.m.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Commission accepted the voluntary action taken by licensee.
STATUS: Closed.

CVM TELEVISION LIMITED (CVM TV)

DATE OF NOTIFICATION: May 4, 2018
COMPLAINT NUMBER: 2017121500
NATURE OF COMPLAINT: Transmission of a song with explicit language
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 voluntary action taken by licensee.
STATUS: Closed.