



## MONITORING & COMPLIANCE REPORT

JULY - SEPTEMBER  
2019



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**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(July – September 2019)**

During the period July– September 2019 five (5) Notices of Breach of Licence were issued to two (2) STV licensees, one (1) broadcast television and two (2) broadcast radio operators.

Sixty- eight (68) contacts were recorded for the period July – September 2019. Of this number, three (3) were complaints, which resulted in investigations of broadcast radio and television operators and sixty-five (65) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

Three (3) complaints were matters relating to content standards. There was a decrease of three (3) when compared with the previous quarter, April to June 2019

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-six (26) subscriber television (STV) operators or 53% of all licensees paid in full; seven (7) or 14% made partial payments and sixteen (16) or 33 % were non-compliant. There was an increase by one in the number of full payments when compared to the previous quarter. There was no change in the number of licensees who made partial payments and there was a decrease of one (1) in the number of non-compliant licensees.



## 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 April – June 2019.

**Table 1** details the complaint investigated relating to content standards between July and September 2019, 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 2016.

**Table 1**

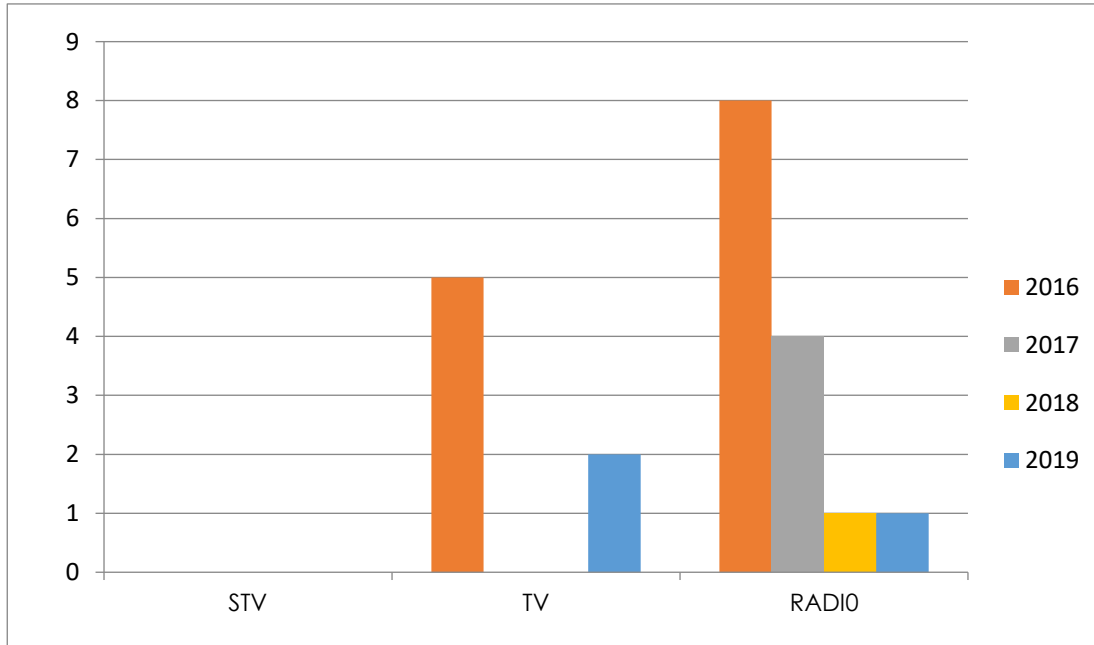
**Content Standards Complaints Investigated: July- September 2019**

<b>LICENSEE</b>	<b>Transmission of a video which contained a violent scene during Prime-Time News</b>	<b>Transmission of movie which contained violence early in the afternoon</b>	<b>Transmission of a song with excessive language</b>	<b>Total</b>
<b>Television Jamaica Ltd.</b>	<b>1</b>	<b>1</b>		<b>2</b>
<b>Grove Broadcasting (Irie FM)</b>			<b>1</b>	<b>1</b>
<b>Total</b>				<b>3</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 (July- September) from 2016 to 2019**



	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>STV</b>	0	0	0	0
<b>TV</b>	5	0	0	2
<b>RADIO</b>	8	4	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: July – September 2019**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Cornwall Communications Ltd.	17(4)(d),17(4)(e), 17(1)h,15(a) Breach of Licence (2)	Letter dated August 7, 2019 sent to licensee to advise of findings of inspection.
2.	Digital Interactive Services Ltd. (Ready TV)	17(1)d, 17(4)d	Complete.
3.	Westar Communications Ltd.	17(4)e	Letter dated August 28, 2019 sent to licensee to advise of findings of inspection.
4.	General Satellite Limited	17(1)h,17(4)e	Letter dated August 29, 2019, sent to licensee to advise of findings of inspection.
5.	Hometime Entertainment (Kingston and Black River)	17(4)(d), 17(4)e Breach of Licence (2)	Letter dated September 5, 2019 sent to licensee to advise of findings of inspection.
6.	Rural Cable Company Ltd.	17(4)(e)	Letter dated September 9, 2019 sent to licensee to advise of findings of inspection.
7.	Krisara Cable Company Ltd.	17(4)(d), 17(4)(e) Breach of Licence (2)	Letter not yet dispatched.

**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.

Four (4) investigations were resolved between July and September 2019.

Table 3

### Resolution of Complaints by Licensee Type

	No. of Investigated Complaints Resolved
Subscriber Television	-
Broadcast Television	1
Broadcast Radio	3
<b>Total</b>	<b>4</b>

Table 4

### Resolution of Complaints by Category

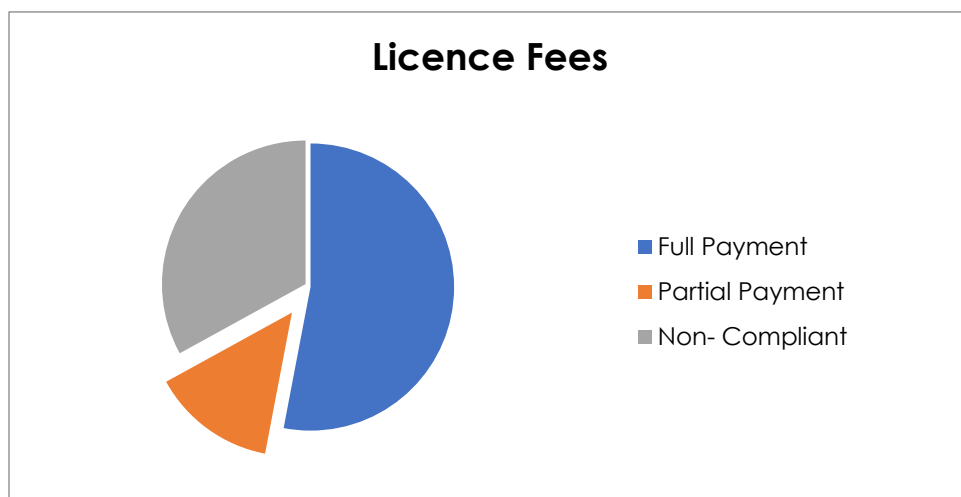
Category	Total
<b>Closed – No Evidence of Breach</b>	
Subscriber Television	
Broadcast Radio	
Broadcast Television	-
<b>Closed- No further Sanction Required</b>	
Subscriber Television	
Broadcast Radio	
Broadcast Television	-
<b>Closed – Complied with Required Remedial Action</b>	
Subscriber Television	
Broadcast Radio	3
Broadcast Television	1
<b>Total</b>	<b>4</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>53%</b>
<b>Partial Payment</b>	-	<b>14%</b>
<b>Non- Compliant</b>	-	<b>33%</b>

**Table 5**  
**STV Licensees Financial Compliance**  
**For quarter ended September 30, 2019**

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	yes	yes	yes	no	✓		
7	Columbus Communications - FLOW	yes	yes	yes	yes	yes	✓		
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	Gemini Cable Network	yes	yes	yes	yes	yes	✓		
16	General Satellite Network Company	yes	yes	no	no	no			✓
17	Guthrie's Communications Ltd	no	no	no	no	no		✓	
18	Home Time Entertainment	no	no	no	yes	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			✓
25	Logic One Limited	yes	yes	yes	no	no	✓		

**STV Licensees Financial Compliance**

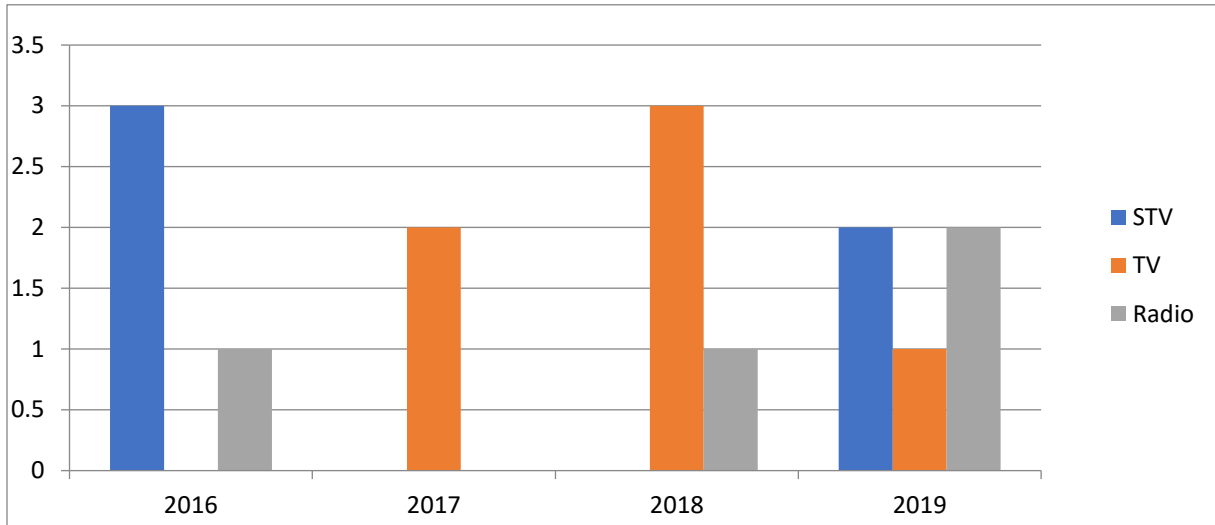
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2014	2015	2016	2017	2018	Paid in Full	Partial Payment	Non-Compliant
26	Marimaxx Communications Ltd.	no	no	no	yes	no	✓		
27	Mars Cable Vision Ltd.	yes	yes	yes	yes	no	✓		
28	McKoy Cable Television Co. Ltd.	yes	no	no	no	no			✓
29	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
30	Modern Re-Broadcasting Co. Ltd.	yes	yes	yes	yes	no	✓		
31	Nems Electrical & Satellite Ltd.	n/a	n/a	no	no	no			✓
32	Network Cable Service	yes	yes	yes	yes	yes	✓		
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	yes	yes	yes	yes	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	Venus Cable Services	no	no	no	no	no			✓
47	Vere Cable Network Limited	n/a	no	no	no	no			✓
48	Westar Communications Limited	no	no	no	no	no	✓		
49	Wilson Enterprises Limited	no	no	no	no	no			✓

## NOTICES OF BREACH

During the period under review five (5) Notices of Breach were issued to licensees. Two (2) arose from technical inspections and three (3) of these notices arose from the contravention of Content Standards.

**Figure 3**

### TREND IN BREACHES COMMITTED (BY SERVICE)



	2016	2017	2018	2019
STV	3	0	0	2
TV	0	2	3	1
RADIO	1	0	1	2

**Table 6**

**BREACHES BY LICENSEES**

**BREACHES BY BROADCAST RADIO LICENSEES**

***KOMMERCIAL SUITES LIMITED (MEGA JAMZ)***

**DATE OF NOTIFICATION:** July 3, 2019  
**COMPLAINT NUMBER:** 2019051300  
**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.

***RADIO JAMAICA LIMITED (FAME 95FM)***

**DATE OF NOTIFICATION:** August 2, 2019  
**COMPLAINT NUMBER:** 2019060400  
**NATURE OF COMPLAINT:** Transmission of content with graphic sexual language  
**NATURE OF BREACH:** Breach of the Children's Code for Programming. Material attracts  
S2 rating and should not be transmitted before 9:00 p.m.  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Apology aired  
**STATUS:** Open.

**BREACH BY BROADCAST TELEVISION LICENSEE**

***CVM Television***

**DATE OF NOTIFICATION:** July 3, 2019  
**COMPLAINT NUMBER:** 2019050600  
**NATURE OF COMPLAINT:** Transmission of a song 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.

## TECHNICAL BREACHES BY SUBSCRIBER TELEVISION LICENSEES

### QUALITY CABLE SERVICES LTD

DATE OF NOTIFICATION: August 8, 2019  
NATURE OF BREACH: Failure to maintain technical standards  
REMEDIAL ACTION: Licensee was invited to a meeting, however the meeting was postponed due to licensees unavailability.  
STATUS: Open

### JACS CABLE LIMITED

DATE OF NOTIFICATION: August 8, 2019  
NATURE OF BREACH: Failure to maintain technical standards  
REMEDIAL ACTION: Licensee was invited to a meeting, which was held. Licensee to action issues listed in Notice of Breach and respond no later than three (3) months of receipt of notice.  
STATUS: Open

**\*\* '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**