



MONITORING & COMPLIANCE REPORT

OCTOBER-DECEMBER
2022



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EXECUTIVE SUMMARY

BCJ - Quarterly Monitoring & Compliance Report (October – December 2022)

During the period October – December 2022, eleven (11) Notices of Breach of Licence were issued — nine (9) to broadcast radio licensees and the other two (2) to broadcast television licensees. There was an increase of six (6) in the number of breaches issued when compared with the previous quarter, July – September 2022.

Forty-four (44) contacts were recorded for the period October – December 2022. Of this number, twenty-one (21) were complaints which resulted in investigations of broadcast operators, while Twenty-three (23) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All twenty-one (21) complaints were matters relating to content standards. There was an increase of seven (7) when compared with the previous quarter, July – September 2022.

Regarding technical matters, the Commission's monitoring team inspected the broadcast facilities of one (1) broadcast television licensee to confirm the presence of a logger system and delay mechanism. The team also investigated reports of high signal leakages in Kingston, St. Catherine, and St. Ann, emanating from a subscriber television licensee's distribution system.

In relation to the payment of the annual licence fee, fifteen (15) subscriber television (STV) operators, or 38% of all licensees paid in full; three (3) or 7% made partial payments and twenty-two (22) or 55% were non-compliant. There was an increase in the number of full payments recorded when compared to the previous quarter. The number of licensees who made partial payments decreased by two (2) and there was an increase of two (2) in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

Forty-four (44) contacts were recorded for the period, October – December 2022. There were twenty-one (21) content standard investigations and eleven (11) Notices of Breach of Licence.

BREAKDOWN OF CONTACTS

	October 2022	November 2022	December 2022	TOTAL
Queries, Requests and Reports:				
Subscriber Television Customer service issues	2	-	1	3
Complaints Received and Investigated	1	16	4	21
Subscriber Television technical issues	-	2	1	3
Commendations on the issuance of October 11, 2022 Directive	2	-	-	2
Poor technical service from Broadcast Television Operators	5	2	1	8
Request for contact information for J.I.P.O.	-	-	2	2
Other operational issues (with the exception of those indicated above)	2	2	1	5
TOTAL	12	22	10	44

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated twenty-one (21) complaints relating to the broadcast of problematic content. The number of complaints investigated increased by seven (7) when compared to the period July - September 2022.

Table 1 details the content standards complaints investigated over the period October to December 2022.

Figure 1 illustrates the trends in content standards complaints investigated in similar reporting periods since 2019.

Table 1

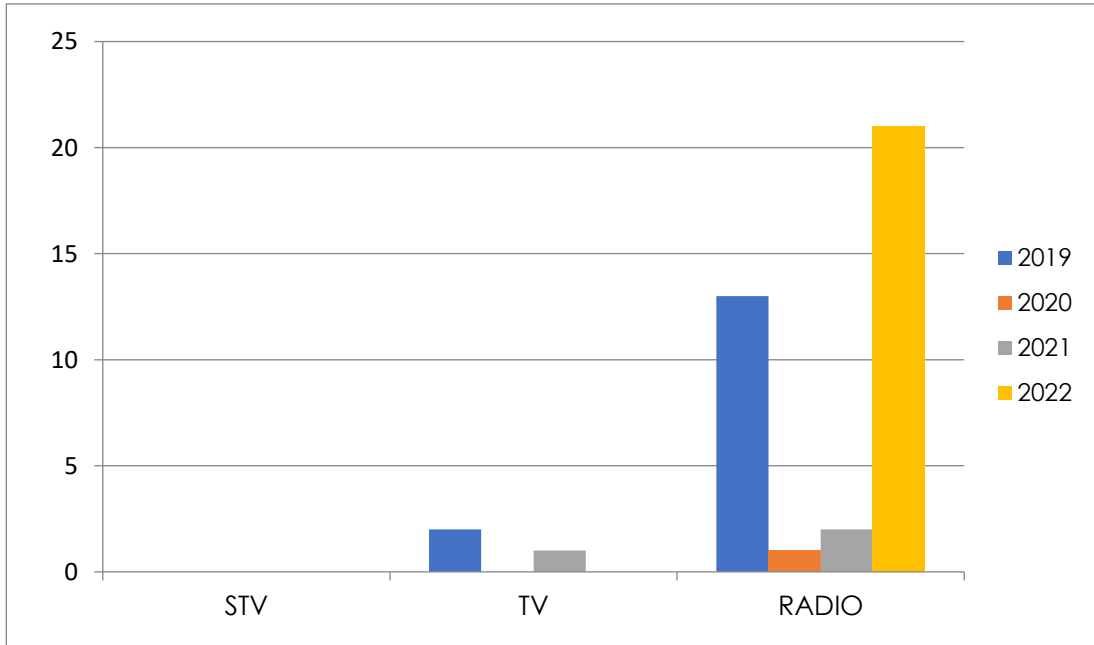
Content Standards Complaints Investigated: October – December 2022

LICENSEES (S)	NATURE OF COMPLAINTS						TOTAL
	Transmission of songs with sexually suggestive lyrics	Transmission of songs with lyrics inciting criminal activity (suggestive of scamming)	Transmission of content that made light of a serious public matter	Transmission of offensive and inappropriate comments by a talk show host.	Transmission of song with lyrics which were inappropriate for time of day	Transmission of song with indecent and profane language	
Radio Jamaica Limited (FAME 95 FM)	2	7				1	10
Grove Broadcasting Company Limited (ZIP103 FM)		1	1				2
Grove Broadcasting Company Limited (IRIE 107.5 FM)	1	4					5
Radio Jamaica Limited (Radio Jamaica 94 FM)					1		1
S & B Communications Limited (Fyah 105.7 FM)	1						1
St. Bess Radio FM Company Limited. (BESS 100 FM)				1			1
Nationwide News Network Limited (NNN)		1					1
TOTAL	4	13	1	1	1	1	21

***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 2019 to 2022**



	2019	2020	2021	2022
STV	0	0	0	0
TV	2	0	1	0
RADIO	13	1	2	21

TECHNICAL MONITORING: OCTOBER – DECEMBER 2022

Main activities conducted by the department during the quarter:

1. Investigations of signal leakages emanating from a subscriber television licensee's distribution system
2. Inspection of the broadcast facilities of a broadcast television licensee

Table 2: Technical Monitoring Activities

LICENSEE	NATURE OF INVESTIGATION	LOCATION OF INVESTIGATION	DATE OF INITIAL INVESTIGATION	BREACHES DETECTED	DATE OF VALIDATION OF LICENSEE'S ACTION	SUMMARY OF ACTIONS TAKEN BY THE COMMISSION
Cable & Wireless Communication PLC (CWC) Flow	Investigation into high signal leakages.	Kingston and St. Andrew	October 5, 11 & 13, 2022	<u>Yes</u> High leakage detected at 9 locations.	December 13, 2022 December 14, 2022	By letter dated October 31, 2022, the Commission directed Flow to address the high signal leakages detected in the vicinity of Norman Manley International Airport (NMIA) within seven (7) days and all other leakages within four (4) weeks. Flow was given a deadline of November 11, 2022 to submit a report on the remedial actions taken in relation to the NMIA and December 5, 2022 to submit a final report on all the remedial measures that were implemented. Following a review of reports submitted by Flow on November 29, 2022 indicating that it had addressed the high signal leakages, the Commission commenced follow-up field investigations to confirm if the leakages had been resolved. The Commission visited eight (8) locations in Kingston and St. Andrew during the month of December and
		Spanish Town, St. Catherine	October 20, 2022	<u>Yes</u> High leakage detected at 6 locations.	Follow-up visits to be conducted	

						<p>determined that the remedial actions carried out at five (5) of the locations were satisfactory.</p> <p>Flow was subsequently advised of the Commission's findings and instructed to immediately address the continued high signal leakages at the other three (3) locations, which included the two (2) in proximity to the NMIA. Up to December 31, 2022, the Commission had not received a response from Flow.</p>
		St. Ann's Bay and Ocho Rios in St. Ann	November 10, 2022	<u>Yes</u> High leakage detected at 4 locations.	Follow-up visits to be conducted	<p>By letter dated November 18, 2022, Flow was advised of the leakages and directed to address them within seven (7) days of receipt of the letter. Flow was required to provide the Commission with a report on the remedial actions taken to address the high leakages no later than a week following the completion of the maintenance work.</p> <p>In a follow-up correspondence dated December 19, 2022, Flow was reminded that the deadline for the submission of the report had expired and was granted an extension to January 6, 2023.</p>
Television Jamaica Limited (TVJ)	Inspection of broadcast facilities to confirm the presence of a logger system and delay mechanism.	32 Lyndhurst Road, Kingston 5	October 19, 2022	<u>No</u>	N/A	The Commission closed the investigation as based on the inspection, it was satisfied that TVJ was equipped with a functional logger system and delay mechanism.

COMPLAINTS RESOLUTION

Except for matters that fall outside of the Commission's mandate, all reports of possible breach 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.

Ten (10) investigations were resolved between October - December 2022.

Table 3

Resolution of Complaints by Licensee Type

Licensee Type	No. of investigated complaints resolved
Subscriber Television	-
Broadcast Television	2
Broadcast Radio	8
Total	10

Table 4

Resolution of Complaints by Category

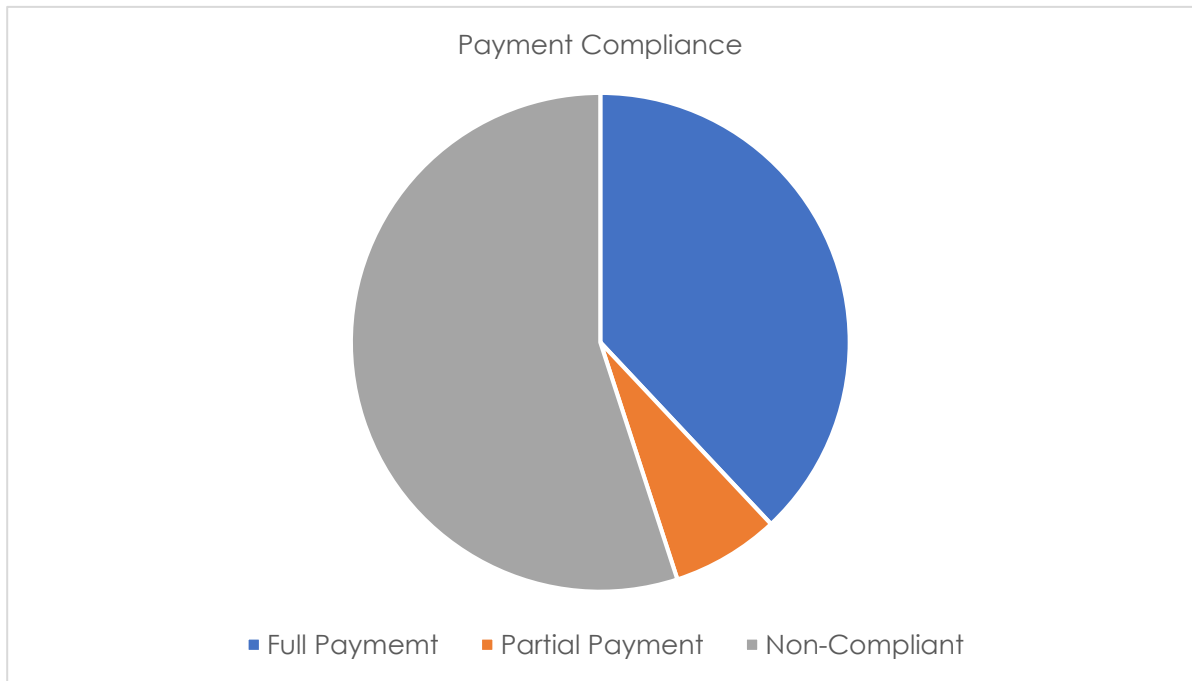
CATEGORY		TOTAL
Closed - Complied with required remedial action for breach of licence		
<ul style="list-style-type: none"> • Broadcast Radio 	2	2
<ul style="list-style-type: none"> • Broadcast Television 	1	1
Closed – No Evidence of Breach		
<ul style="list-style-type: none"> • Broadcast Radio 	4	4
<ul style="list-style-type: none"> • Broadcast Television 	-	-
Closed - Commission accepted licensee’s internal remedial action		
<ul style="list-style-type: none"> • Broadcast Radio 	1	1
<ul style="list-style-type: none"> • Broadcast Television 	1	1
Closed – No Further Remedial Action remedial action required		
<ul style="list-style-type: none"> • Broadcast Radio 	1	1
<ul style="list-style-type: none"> • Broadcast Television 	-	-
Total	10	10

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

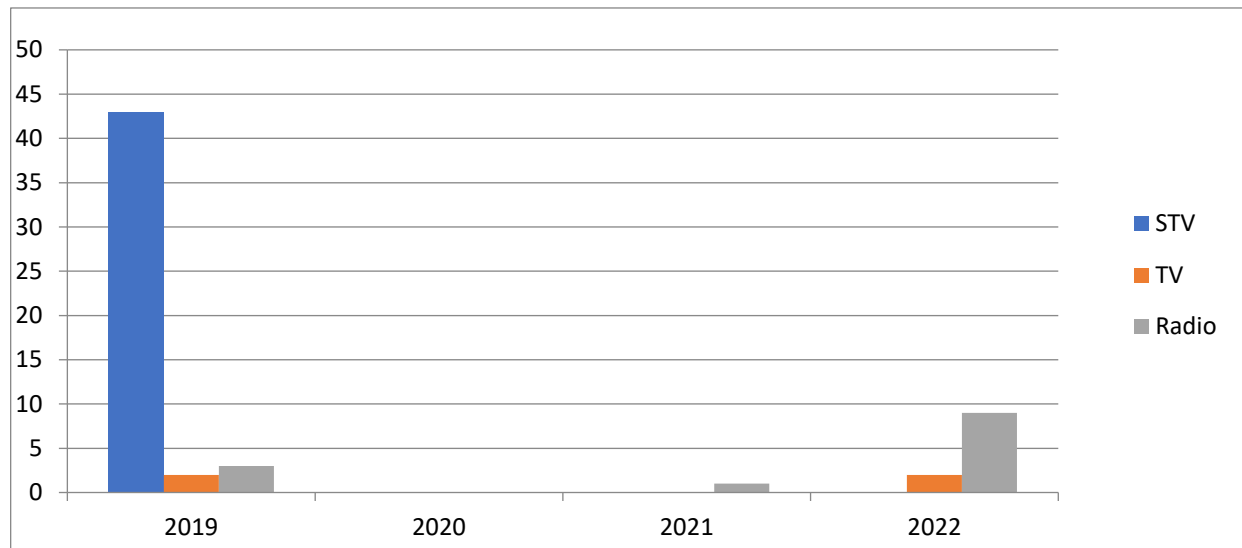


Full Payment - 38%
Partial Payment - 7%
Non- Compliant - 55%

NOTICES OF BREACH

During the period under review, eleven (11) Notices of Breach were issued to broadcast radio and broadcast television licensees. All eleven (11) notices arose from contravention of Content Standards.

Figure 3
TRENDS IN BREACHES COMMITTED (BY SERVICE)



	2019	2020	2021	2022
STV	43	0	0	0
TV	2	0	0	2
RADIO	3	0	1	9

Table 5
STV Licensees: Financial Compliance: October – December 2022

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2017	2018	2019	2020	2021	Paid In Full	Partial Payment	Non-Compliant
1	Advance Cable Systems Ltd.	no	no	no	yes	no			✓
2	Astra Technology Ltd.	no	no	no	no	no			✓
3	Best TV Communications Group Ltd	--	--	--	--	n/a			✓
4	Cable One Jamaica Ltd.	yes	yes	no	yes	yes		✓	
5	Cabletron Network Systems Ltd. <i>(managed by Home Time Entertainment Limited)</i>	no	yes	yes	no	no			✓
6	Central Clarendon Cable Ltd.	no	no	no	no	no			?
7	Central Communication Services Ltd.	yes	yes	yes	no	no	✓		
8	Cable & Wireless – FLOW Communication PLC (CWC) Flow	yes	yes	no	yes	no	✓		
9	Combined Communications Ltd.	no	no	no	yes	no			✓
10	Communicable Ltd	no	no	no	no	no			✓
11	Cornwall Communications Ltd.	no	yes	yes	yes	no			✓
12	CTL Limited	no	yes	no	yes	yes	✓		
13	Digicel Jamaica	yes	yes	no	yes	yes	✓		
14	Digital Interactive Systems Limited	no	yes	yes	yes	yes			✓
15	Direct Cable Systems Ltd.	no	no	no	no	no			?
16	Gemini Cable Network	yes	yes	no	no	no	✓		
17	General Satellite Network Company	yes	yes	yes	no	no			✓
18	Guthrie's Communications Ltd <i>(managed by Home Time Entertainment Limited)</i>	no	no	no	no	no			?
19	Home Time Entertainment Limited	yes	no	no	yes	yes			✓
20	Horizon Entertainment & Communication <i>(managed by Home Time Entertainment Limited)</i>	no	no	no	no	no			✓
21	Inntech Communications Ltd.	yes	yes	yes	yes	yes	✓		
22	JACS	n/a	no	yes	yes	yes	✓		
23	Jamaica Cablevision Ltd. <i>(managed by Home Time Entertainment Limited)</i>	no	no	no	no	no	✓		
24	Krisara Cable Co. Ltd.	no	no	no	no	no			✓
25	Linscom Network Limited	yes	no	no	no	no			✓
26	Marimaxx Communications Ltd. <i>(managed by Home Time Entertainment Limited)</i>	yes	no	no	no	no			✓

STV Licensees Financial Compliance Contd.

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2017	2018	2019	2020	2021	Paid in Full	Partial Payment	Non-Compliant
27	Mars Cable Vision Limited	yes	yes	yes	yes	yes	✓		
28	McKoy's Cable Television Co. Ltd.	no	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.	no	no	no	no	no			✓
32	Network Cable Service	yes	yes	no	no	yes	✓		
33	Odyssey Cable Vision Limited	yes	yes	yes	yes	yes	✓		
34	Procables Network Limited	no	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	no	no	no	no	no			✓
38	Santastic Cable Systems Ltd. <i>(managed by Odyssey Cable Vision Limited)</i>	no	yes	yes	yes	no			✓
39	Somane Pesole Communications Ltd.	no	no	no	no	no	✓		
40	Starcom Cablevision Ltd.	no	no	no	no	no			✓
41	Stars Cable Company Ltd.	no	no	yes	yes	yes			✓
42	St. Thomas Cable Network Limited	yes	no	no	no	no			✓
43	Summit Satellite Systems Limited	no	no	no	no	no			?
44	Total Cable	no	no	no	yes	no	✓		
45	Tru Star Cable Television Network	no	no	no	no	no			?
46	Venus Cable Services	no	no	no	no	no			?
47	Vere Cable Network Limited	no	no	no	no	no			✓
48	Westar Communications Limited	no	no	no	no	no		✓	
49	Wilson Enterprises Limited	no	no	no	no	no			✓

“?” - Non-operational

BREACHES BY LICENSEES

BREACHES BY BROADCAST TELEVISION LICENSEES

1. TELEVISION JAMAICA LIMITED (TVJ)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022070400
NATURE OF COMPLAINT: Transmission of a snippet of a music video for a song containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(a) and 30(j) of the TSBR
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: The licensee directed to transmit prescribed apology.
STATUS: Closed

2. CVM TELEVISION LIMITED (CVM TV)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022071900
NATURE OF COMPLAINT: Transmission of statements trivializing the effects of the viral disease, Monkey Pox.
NATURE OF BREACH: Breach of Regulation 30(f) of the TSBR
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: The Commission accepted licensee's internal remedial action.
STATUS: Closed

BREACHES BY BROADCAST RADIO LICENSEES

1. RADIO JAMAICA LIMITED (FAME 95.5 FM)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022070401
NATURE OF COMPLAINT: Transmission of songs containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(a) and 30(j) of the TSBR
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee directed to transmit prescribed apology.
STATUS: Open

2. GROVE BROADCASTING COMPANY LIMITED (ZIP 103.9 FM)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022070500
NATURE OF COMPLAINT: Transmission of a song containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(a) and 30 (j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee directed to transmit prescribed apology.
STATUS: Closed

3. MOTHER IN CRISIS (SUN CITY RADIO)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022070502
NATURE OF COMPLAINT: Transmission of a song containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(a) and 30(j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee directed to transmit prescribed apology.
STATUS: Closed

4. S & B COMMUNICATIONS LIMITED. (FYAH 105.7 FM)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022070503
NATURE OF COMPLAINT: Transmission of songs containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(a) and 30(j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee directed to transmit prescribed apology.
STATUS: Closed

5. BRIDGE 99 FM. LIMITED (BRIDGE 99 FM)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022070504
NATURE OF COMPLAINT: Transmission of a song containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(a) and 30(j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee directed to transmit prescribed apology.
STATUS: Closed

6. NATIONWIDE NEWS NETWORK LIMITED (NNN)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022071100
NATURE OF COMPLAINT: Transmission of a news story that included statements which could have the effect of endorsing or promoting violence or jungle justice
NATURE OF BREACH: Breach of Regulation 30(j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: The Commission decided against any further public highlighting of the matter, having considered the time that had elapsed since the transmission, and the possibility of re-opening the suffering of the victims' family. However, NNN was warned against the repetition of similar action and reminded of its professional responsibility in airing news.
STATUS: Closed

7. GROVE BROADCASTING COMPANY LIMITED (IRIE 107.5 FM)

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022070501
NATURE OF COMPLAINT: Transmission of songs containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(d) and 30(j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee directed to transmit prescribed apology.
STATUS: Closed

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022071901
NATURE OF COMPLAINT: Transmission of a song containing lyrics suggestive of scamming
NATURE OF BREACH: Breach of Regulations 30(a) and 30(j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee directed to transmit prescribed apology.
STATUS: Closed

DATE OF NOTIFICATION: November 2, 2022
COMPLAINT NUMBER: 2022071902
NATURE OF COMPLAINT: Transmission of indecent and profane language during the airing of a poem
NATURE OF BREACH: Breach of Regulation 30(d) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Commission accepted the licensee's internal remedial action.
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.**