

# MONITORING & COMPLIANCE REPORT

JULY – SEPTEMBER  
2017



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**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(July – September 2017)**

During the period July – September 2017, two (2) Notices of Breach of Licence were issued to two (2) broadcast television licensees. There was a decrease of four (4) when compared with the previous quarter, April to June – 2017.

Seventy -one (71) contacts were recorded for the period July – September 2017. Of this number, four (4) were complaints, which resulted in investigations of broadcast radio operators. Sixty-seven (67) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All four (4) complaints were matters relating to content standards. There was an increase of one (1) when compared with the previous quarter, April – June 2017.

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; six (6) or 12% made partial payments and seventeen (17) or 35% were non-compliant. There was an increase 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 decreased by four (4) and there was an increase of three (3) in the number of non-compliant licensees.

## INTRODUCTION

### Contacts with the Commission

Seventy-one (71) contacts were recorded for the period, July – September 2017. There were four (4) investigations and two (2) Notices of Breach of Licence.

### BREAKDOWN OF CONTACTS

	July 2017	August 2017	September 2017	TOTAL
<b>Queries, Requests and Reports:</b>				
Licence Application process	2	-	3	5
Poor technical STV service	5	4	9	18
Complaints Received and Investigated	1	3	-	4
Copyright issues	2	-	-	2
Poor Broadcast television service	2	4	-	6
Other operational issues (with the exception of those indicated above)	11	16	9	36
<b>TOTAL</b>	<b>23</b>	<b>27</b>	<b>21</b>	<b>71</b>

## PROGRAMMING CONTENT COMPLIANCE

The Commission investigated four (4) complaints relating to the broadcast of problematic content. The number of complaints investigated increased by one (1) when compared to the period April - June 2017

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

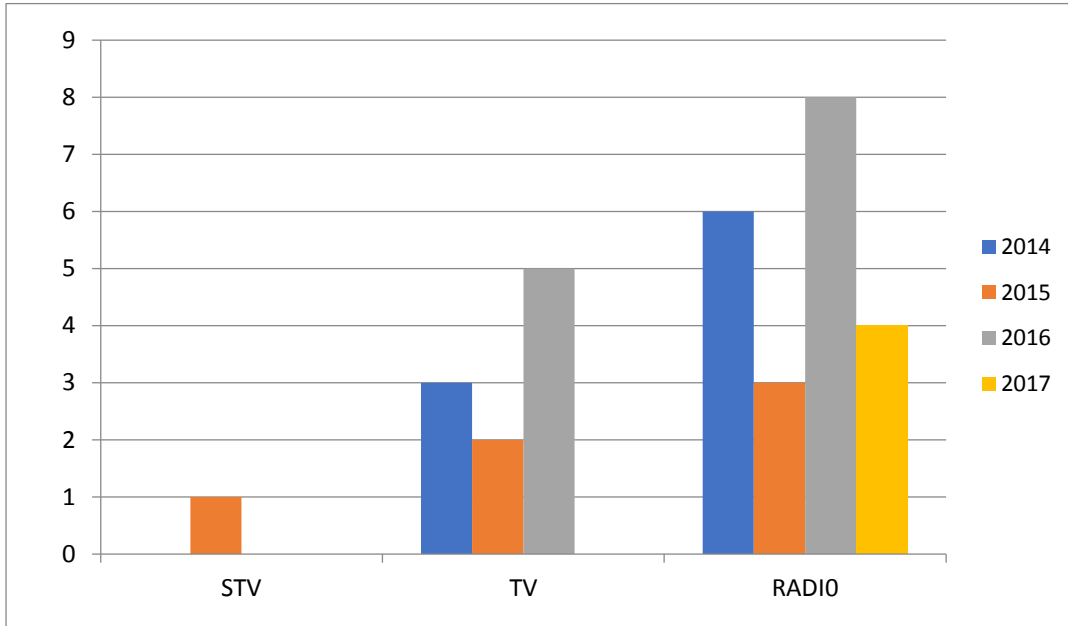
**Content Standards Complaints Investigated: July - September 2017**

	Transmission of song with graphic language	Transmission of song with sexual explicit lyrics.	Transmission of song with problematic lyrics	TOTAL
Grove Broadcasting Company Ltd. ( Zip 103 FM)		1	1	2
FYAH 105 FM	1		1	2
TOTAL	1	1	2	4

**\* Complaints listed above include allegations that may not have necessarily resulted in findings of breach.**

**CONTENT STANDARD COMPLAINTS INVESTIGATED**  
**Trends for Quarter (July - September) from 2014 to 2017**

**Figure 1:**



	2014	2015	2016	2017
STV	0	1	0	0
TV	3	2	5	0
RADIO	6	3	8	4

## 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 2017**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Total Cable	17(4)(d), 17(4)(e)	By letter dated September 25, 2017, dispatched September 27, 2017, licensee was advised of breaches identified during inspection.
2.	Rural Cable	15(b),17(4)(d), 17(4)e Breach of Licence 2	By letter dated November 1, 2017 dispatched November 2, 2017, licensee was advised of breaches identified during inspection and given one month to address breaches.
3.	Venus Cable	16(1),17(1)(b),17(1)(h) )17(4)(d), 17(4)(e), 24(2), 24(4) Breach of licence (1)	Breach letter dated November 24, 2017 dispatched November 27, 2017, licensee was advised of breaches identified during inspection.
4.	Santastic Cable	17(4)(e),	By letter dated September 6, 2017 and dispatched, licensee was advised of breaches identified during inspection.
5.	Direct Cable	15(b),17(4)(d), 17(4)(e), 15(a)  Breach of Licence (1)	By letter dated October 13, 2017, dispatched October 17, licensee was advised of breaches identified during inspection.
6.	Combined Communications Ltd.	17(4)(e),	By letter dated November 1, 2017 dispatched November 2, 2017 licensee was advised of breach identified during inspection and given one month to address breach.
7.	McKoy's Cable	17(1)h, 17(4)(e)	By letter dated August 30, 2017, dispatched September 4, 2017, licensee was advised of breaches identified during inspection

NB. Breach of licence (2): Non-provision of service in licenced zone (s)

Breach of licence (1): Operating a non-addressable system.



## COMPLAINTS RESOLUTION

Except for matters that 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.

Five (5) investigations were resolved between July - September, 2017.

**Table 3**

### Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	-
Broadcast Television	3
Broadcast Radio	2
<b>Total</b>	<b>5</b>

**Table 4**  
**Resolution of Complaints by Category**

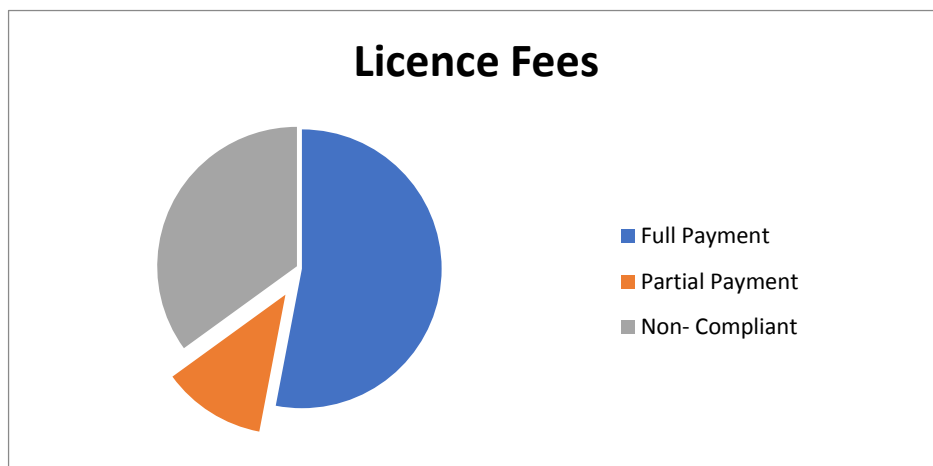
CATEGORY		TOTAL
<p><b>Closed - Complied with required remedial action for breach of licence</b></p> <ul style="list-style-type: none"> <li>• <b>Broadcast Radio</b></li> <li>• <b>Broadcast Television</b></li> </ul> <p><b>No Sanction Applied</b></p> <ul style="list-style-type: none"> <li>• <b>Broadcast Radio</b></li> <li>• <b>Broadcast Television</b></li> </ul>		<p align="center">-</p> <p align="center"><b>3</b></p> <p align="center">-</p> <p align="center"><b>2</b></p> <p align="center">-</p>
<b>Total</b>		<b>5</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**



**Full Payment** - 53%  
**Partial Payment** - 12%  
**Non- Compliant** - 35%

**Table 5**  
**STV Licensees Financial Compliance**  
**For quarter ended September 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	Digital Interactive Systems Limited	n/a	n/a	n/a	n/a	n/a	✓		
14	Direct Cable Systems Ltd.	yes	yes	no	no	no			✓
15	First Choice Cable	yes	yes	no	no	no			✓
16	Gemini Cable Network (formerly Silly Video Cable Network Ltd)	yes	yes	yes	yes	yes	✓		
17	General Satellite Network Company	yes	yes	yes	yes	no			✓
18	Guthrie's Communications Ltd	yes	yes	no	no	no			✓
19	Horizon Entertainment & Communication	n/a	n/a	n/a	no	no	✓		
20	Inntech Communications Ltd.	yes	yes	yes	yes	yes	✓		
21	Jamaica Cablevision Ltd.	yes	yes	no	no	no	✓		
22	Krisara Cable Co. Ltd.	n/a	n/a	n/a	n/a	n/a	✓		
23	Linscom Network Limited	yes	yes	yes	no	yes	✓		

**STV Licensees Financial Compliance**

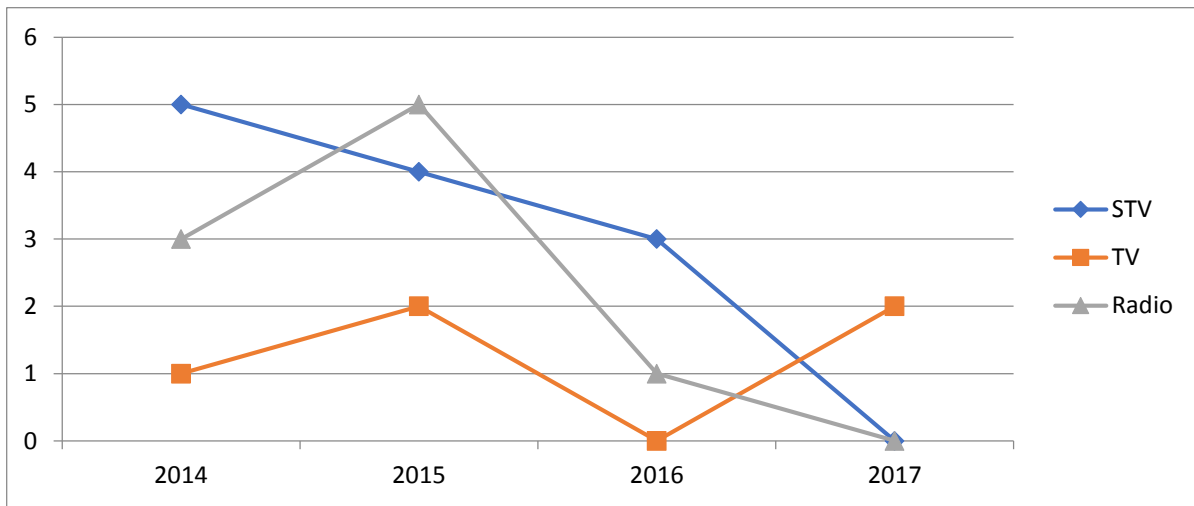
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2012	2013	2014	2015	2016	Paid In Full	Partial Payment	Non-Compliant
24	Logic One Limited	yes	yes	yes	yes	no	✓		
25	Marimaxx Communications Ltd.	no	no	no	no	no	✓		
26	Mars Cable Vision Ltd.	yes	yes	yes	yes	yes	✓		
27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

## NOTICES OF BREACH

During the period under review, two (2) Notices of Breach were issued to licensees, both of these notices arose from contravention of Content Standards.

**Figure 3**

TREND IN BREACHES COMMITTED (BY SERVICE)



	2014	2015	2016	2017
STV	5	4	3	-
TV	1	2	-	2
RADIO	3	5	1	-

**Table 6**  
**BREACHES BY LICENSEES**  
**BROADCAST TELEVISION LICENSEES**

**CVM TELEVISION LIMITED**

<b>DATE OF BREACH:</b>	<b>JULY 5, 2017</b>
<b>COMPLAINT NUMBER:</b>	<b>2017052900</b>
<b>NATURE OF COMPLAINT:</b>	<b>Transmission of inappropriate content</b>
<b>NATURE OF BREACH:</b>	<b>Breach of the scheduling requirement of the Code.</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach</b>
<b>REMEDIAL ACTION:</b>	<b>Licensee directed to transmit apology. Licensee complied</b>
<b>STATUS:</b>	<b>Closed</b>

**TELEVISION JAMAICA LIMITED**

<b>DATE OF BREACH:</b>	<b>JULY 24, 2017</b>
<b>COMPLAINT NUMBER:</b>	<b>2017062200</b>
<b>NATURE OF COMPLAINT:</b>	<b>Transmission of excessive language during after match interview.</b>
<b>NATURE OF BREACH:</b>	<b>Breach of the TSBR and the Code.</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach</b>
<b>REMEDIAL ACTION:</b>	<b>Licensee directed to transmit apology. Licensee complied</b>
<b>STATUS:</b>	<b>Closed</b>

**\*\* '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.**