



**MONITORING**

**&**

**COMPLIANCE REPORT**

*JANUARY - MARCH 2014*

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**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(January – March 2014)**

During the period January – March 2014, seven (7) notices of breach of licence were issued to two (2) broadcast radio licensees, one (1) to a broadcast television licensee and four (4) to subscriber television operators. There was a decrease of three (3) or 30% in the number of notices of breach when compared to the previous quarter (October - December 2013).

One hundred and forty (140) contacts were recorded for the period January – March 2014. Of this number, six (6) contacts resulted in investigations of broadcast radio and television operators and subscriber television operators. The remaining one hundred and thirty four (134) were queries and comments about the work of the Commission.

Five (5) contacts resulted in investigations of complaints about content transmitted by broadcast radio and television operators representing a decrease of four (4) or (44%) when compared to the previous quarter. One contact was related to poor audio and video signals of a subscriber television operator.

Five 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 36% of all licensees paid in full; fourteen (14) or 36% made partial payments and eleven (11) or 28% were non-compliant. There was a decrease of two (2) 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 five (5) and there was a reduction of three (3) in the number of non-compliant licensees.

## **INTRODUCTION**

### **Contacts with the Commission**

One hundred and forty (140) contacts were recorded for the period, January - March 2014. There were six (6) investigations and seven (7) Notices of Breach of licence.

## BREAKDOWN OF CONTACTS

	Jan 2014	Feb 2014	March 2014	TOTAL
<b>Other Operational Issues</b>	15	36	23	74
<b>Licenses Application process</b>	5	2	3	10
<b>Zoning and contact information for STV</b>	5		3	8
<b>Complaints Received and Investigated</b>	1	3	2	6
<b>Digital Converter Box Issues</b>	9	5		14
<b>Exclusive Rights Issues</b>		15	10	25
<b>Logic One's Unauthorized STV operation in Lawrence Tavern</b>	3			3
<b>TOTAL</b>	<b>38</b>	<b>61</b>	<b>41</b>	<b>140</b>

## PROGRAMMING CONTENT COMPLIANCE

The Commission investigated five (5) complaints in relation to the broadcast of problematic content. This represented a decrease of 44% when compared to the period October – December 2013.

**Table 1** details the complaints investigated relating to programming standards between January to March 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**

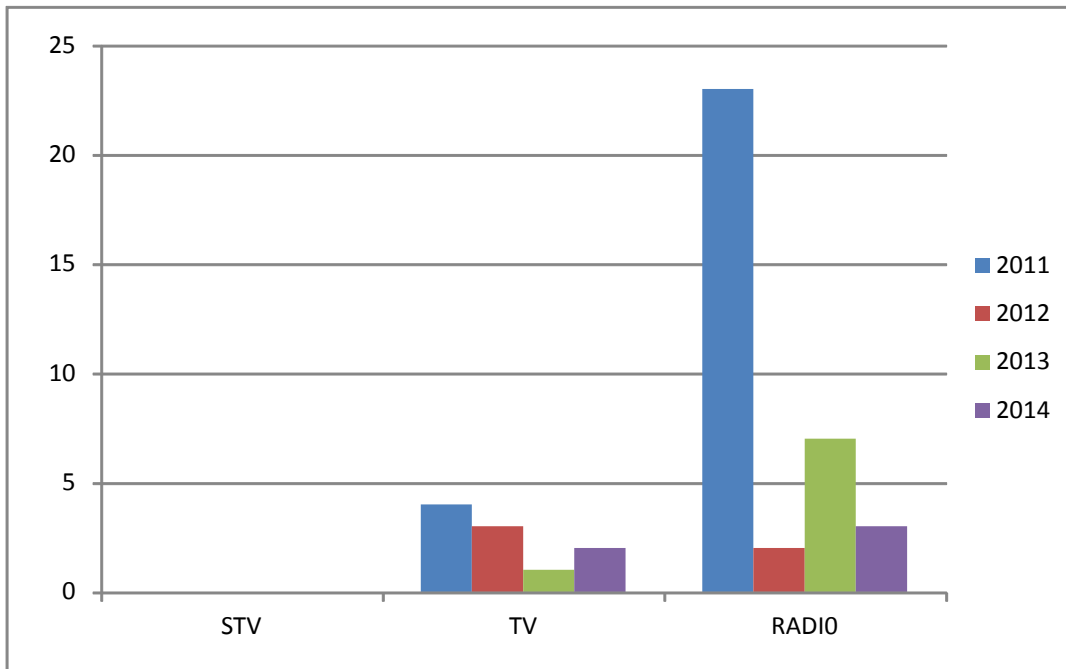
**Content Standards Complaints Investigated: January - March 2014**

	Transmission of a song with sexually suggestive lyrics	Transmission of song containing graphic verbal expletive	Transmission of content containing graphic verbal expletive	Transmission of songs containing sexual innuendo	Transmission of advertisement containing sexual innuendo	TOTAL
FAME 95 FM	1					1
CVM Television					1	1
Television Jamaica Ltd.			1			1
HOT 102 FM		1				1
Nationwide News Network (NNN)				1		1
TOTAL	1	1	1	1	1	5

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

**Figure 1:**

**Content Standard Complaints Investigated  
Trends for Quarters January - March 2011 to 2014**



	2011	2012	2013	2014
STV	0	0	0	0
TV	4	3	1	2
RADIO	23	2	7	3



## 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-** Shows the subscriber television licensees inspected and the areas of technical non-compliance identified.

**Table 2: Technical Monitoring: January – March 2014**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Combined Communications	17(1)(b) 17(1)(h) 15(a)	Meeting scheduled for April 29, 2014
2.	Cable One Jamaica Limited	17(1)(b), 17(4)(e) 17(4)(d)	Breach letter sent February 25, 2014, given three months deadline to rectify breach.
3.	Odyssey	17(4)(e) 17(4)(d)	Matters addressed. Licensee advised.
4.	Silly Video	17(1)(a) 17(1)(b) 17(4)(e) 17(1)(h) Breach of Licence (1)	Breach letter ratified at MCC Meeting in April 2014
5.	Unique	17(1)(d) 17(1)(h) 17(4)(b) 17(4)(d) 17(4)e Breach of licence (1) & (2)	Breach Letter sent April 4, 2014, giving three months to rectify breach.

## TECHNICAL COMPLAINTS

For the period under review there was one complaint relating to technical quality of STV service. There was no difference in the number of complaints received when compared to the period October - December 2013.

**Table 3** shows the nature of complaints investigated relating to Technical Standards for the period January– March 2014.

**Table 3**

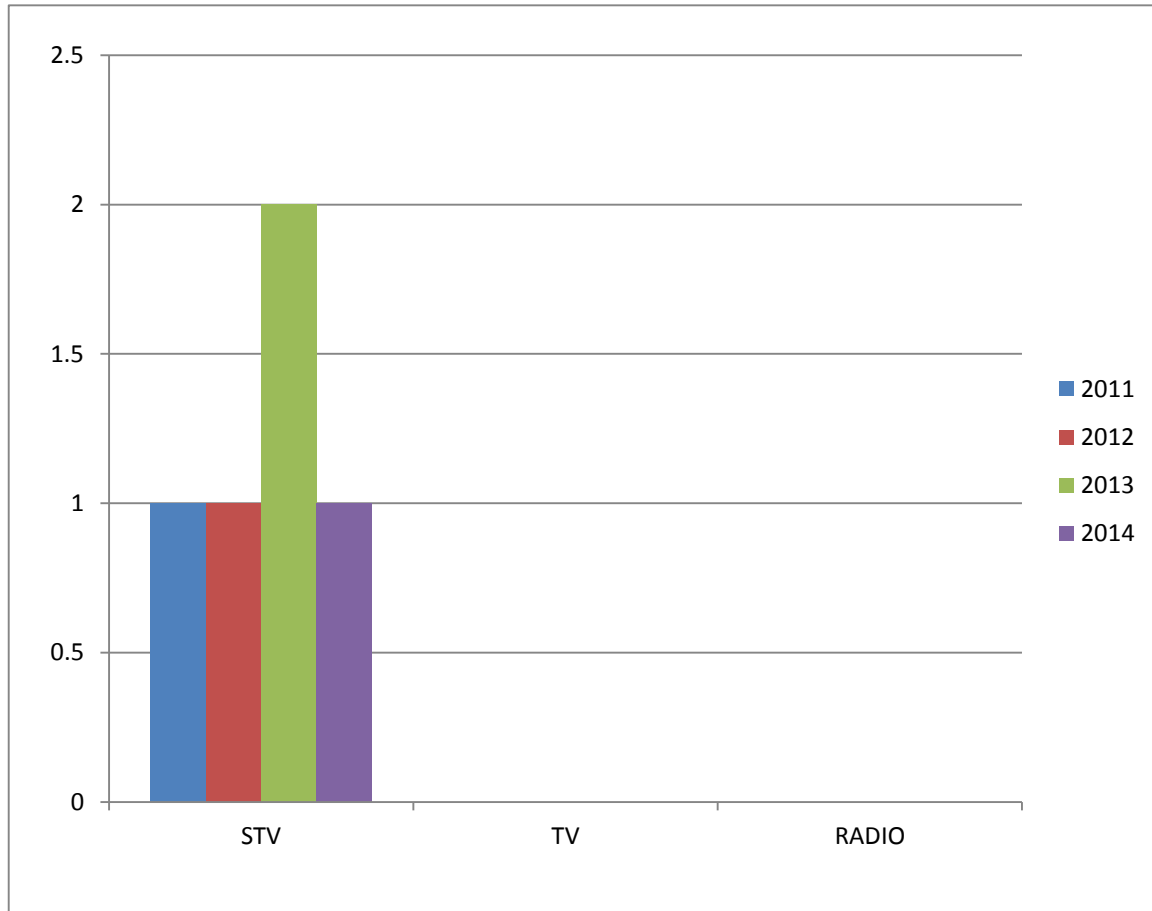
### Technical Standards Complaints January- March 2014

	Poor Audio & Video Signals	TOTAL
Starcom Cablevision Ltd.	1	1
<b>TOTAL</b>	1	*1

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

**Figure 2** illustrates the trend in technical standard complaints received in similar reporting periods since 2011.

**Figure 2**  
**Technical Standards Report Trends for Quarters January- March**  
**2011 to 2014**



	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>STV</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>
<b>TV</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>RADIO</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## **CUSTOMER SERVICE COMPLAINTS**

There was no customer service complaint that resulted in investigation for the period under review.

## 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.

Three (3) investigations were resolved between January- March 2014 .

**Table 4**  
Resolution of Complaints by Licensee

	<b>No. of investigated complaints Resolved</b>
Subscriber Television	1
Broadcast Television	0
Broadcast Radio	2
<b>Total</b>	<b>3</b>

**Table 5**  
**Resolution of Complaints by Category**

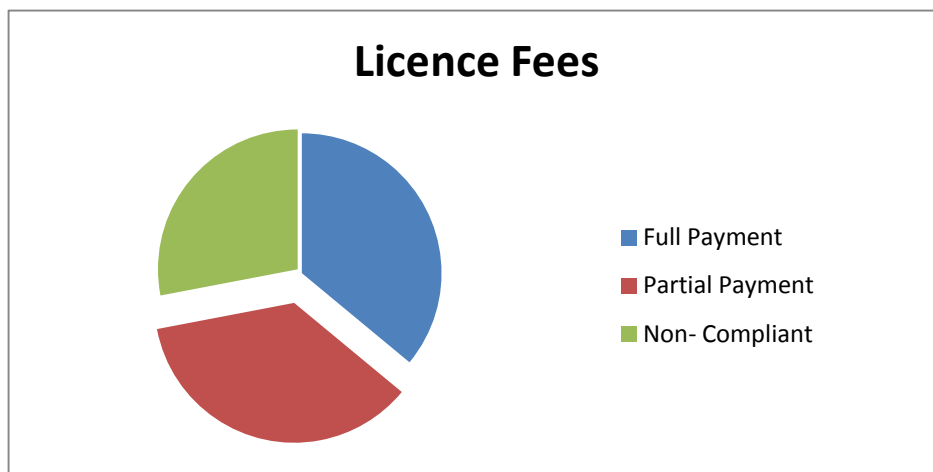
CATEGORY	TOTAL
<b>Closed - Complied with required remedial action for breach of licence</b>  Broadcast Radio	2
<b>Closed – Resolved to Complainants Satisfaction</b>  Subscriber Television Operator	1
<b>Total</b>	<b>3</b>

## 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 3**

**Figure 3**



<b>Full Payment</b>	<b>36%</b>
<b>Partial Payment</b>	<b>36%</b>
<b>Non- Compliant</b>	<b>28%</b>

**STV Licensees Financial Compliance  
For quarter ended March 31, 2014**

**Table 6**

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	no	no		✓	
3	Cabletron Network Systems Ltd.	yes	yes	yes	no	no		✓	
4	Central Communication Services Ltd.	yes	yes	yes	no	no	✓		
5	Columbus Communications - FLOW	yes	yes	yes	yes	no	✓		
6	Combined Communications Ltd.	no	no	yes	yes	no		✓	
7	Communicable Ltd.	no	no	no	no	no		✓	
8	Cornwall Communications Ltd.	yes	yes	no	no	no	✓		
9	CTL Limited	no	no	no	yes	no	✓		
10	Digital Media & Entertainment Ltd. (Not Operational at this time)	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	no	no	✓		
13	General Satellite Network Company	yes	yes	yes	no	no			✓
14	Guthrie's Communications Ltd	yes	yes	yes	no	no		✓	
15	Inntech Communications Ltd.	no	no	no	no	no	✓		
16	Jamaica Cablevision Ltd.	yes	yes	yes	no	no			✓
17	Linscom Network Limited	yes	yes	no	yes	no		✓	
18	Logic One Limited	yes	yes	yes	yes	no	✓		
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	✓		



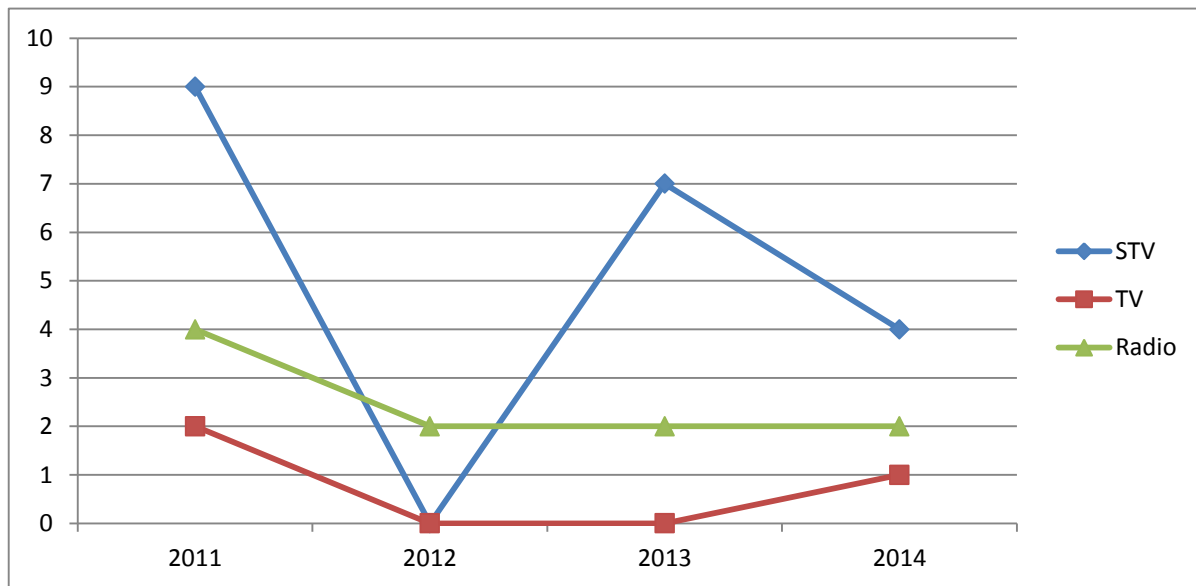
**STV Licensees Financial Compliance**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2009	2010	2011	2012	2013	Paid in Full	Partial Payment	Non-Compliant
25	Odyssey Cable Vision Limited	yes	yes	yes	no	no	✓		
26	Oliver Electronics Engineering Ltd.	no	no	no	no	no		✓	
27	QES 46 Limited	yes	no	no	no	no		✓	
28	Santastic Cable Systems Ltd.	yes	yes	yes	yes	no	✓		
29	Silly Video Cable Network Limited	yes	no	yes	yes	no	✓		
30	Starcom Cablevision Ltd.	yes	no	no	no	no		✓	
31	Stars Cable Company Ltd.	yes	no	no	no	no			✓
32	St. Thomas Cable Network Limited	no	no	yes	no	no			✓
33	Summit Satellite Systems Limited	yes	yes	no	no	no			✓
34	Telstar Cable Limited	yes	no	no	no	no			✓
35	Total Cable	yes	yes	no	no	no			✓
36	Tru Star Cable Television Network	no	no	no	no	no			✓
37	Unique Vision Cable Co. Ltd.	no	no	no	no	no		✓	
38	Venus Cable Services	no	no	no	no	no			✓
39	Westar Communications Limited	no	no	no	no	no		✓	
40	Wilson Enterprises Limited	yes	yes	no	no	no			✓

## NOTICES OF BREACH

During the period under review, seven (7) Notices of Breach were issued to licensees, three (3) of these notices arose from contraventions of Content Standards and four (4) arose from contraventions of Technical Standards.

**Figure 4**  
**TREND IN BREACHES COMMITTED BY SERVICE**



	2011	2012	2013	2014
STV	9	0	7	4
TV	2	0	0	1
RADIO	4	2	2	2

## Table 7

### BREACH BY BROADCAST TELEVISION LICENSEE

#### CVM TELEVISION LIMITED

**DATE OF BREACH:** February 3, 2014  
**COMPLAINT NUMBER:** 2013120200  
**NATURE OF COMPLAINT:** Transmission of an expletive during its newscast  
**NATURE OF BREACH:** Breach of Regulation 30 (d) and L3 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:** February 3, 2014  
**COMPLAINT NUMBER:** 2013120600  
**NATURE OF COMPLAINT:** Transmission of song containing 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

#### RJR 94 FM

**DATE OF BREACH:** February 3, 2014  
**COMPLAINT NUMBER:** 2013112000  
**NATURE OF COMPLAINT:** Transmission of a song containing a poorly edited 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

### CTL CABLE LIMITED

DATE OF BREACH: January 22, 2014  
NATURE OF BREACH: Failure to maintain technical standards  
COMMISSION DECISION: Licence in breach  
REMEDIAL ACTION: Licensee given deadline to address breaches  
STATUS: Open

### GUTHRIES COMMUNICATIONS

DATE OF BREACH: January 22, 2014  
NATURE OF BREACH: Failure to maintain technical standards  
COMMISSION DECISION: Licence in breach  
REMEDIAL ACTION: Licensee given deadline to address breaches  
STATUS: Open

### TOTAL CABLE LIMITED

DATE OF BREACH: January 22, 2014  
NATURE OF BREACH: Failure to maintain technical standards  
COMMISSION DECISION: Licence in breach  
REMEDIAL ACTION: Licensee given deadline to address breaches  
STATUS: Open

### CABLE ONE NJAMAICA LIMITED

DATE OF BREACH: February 24, 2014  
NATURE OF BREACH: Failure to maintain technical standards  
COMMISSION DECISION: Licensee 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.**