

# BROADCASTING COMMISSION

PEOPLE ▶ TRANSITIONING ▶ DIGITAL

## MONITORING & COMPLIANCE REPORT

JANUARY - MARCH  
2020



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**EXECUTIVE SUMMARY**  
**BCJ- Quarterly Monitoring & Compliance Report**  
**(January – March 2020)**

During the period January– March 2020, four (4) Notices of Breach of Licence were issued to (3) broadcast radio licensees and one (1) broadcast television licensee.

Thirty-six (36) contacts were recorded for the period January– March 2020. Of this number, three (3) were complaints, which resulted in investigations of two (2) broadcast radio operators one (1) broadcast television operator. Thirty-three (33) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All three (3) complaints were matters relating to content standards. There was a decrease of twelve (12) when compared with the previous quarter, October– December 2019

Eight (8) 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, fifteen (15) subscriber television (STV) operators, or 32% of all licensees paid in full; four (4) or 9% made partial payments and twenty-eight (28) or 59 % were non-compliant. There was a decrease of seven (7) in the number of full payments when compared to the previous quarter. The number of licensees who made partial payments decreased by one (1) and there was an increase of eight (8) in the number of non-compliant licensees.

## INTRODUCTION

### Contacts with the Commission

Thirty-six (36) contacts were recorded for the period, January– March 2020. There were three (3) investigations and four (4) Notices of Breach of Licence.

### BREAKDOWN OF CONTACTS

	January 2020	February 2020	March 2020	TOTAL
<b>QUERIES, REQUESTS AND REPORTS:</b>				
<b>Complaints Received and Investigated</b>	2	-	1	<b>3</b>
<b>Concerns about removal of Channels and other Customer issues by Subscriber Television Operators</b>	2	8	-	<b>10</b>
<b>Poor Subscriber Television Technical Service</b>	5	4		<b>9</b>
<b>Other operational issues (with the exception of those indicated above)</b>	8	6		<b>14</b>
			-	
<b>TOTAL</b>	<b>17</b>	<b>18</b>	<b>1</b>	<b>36</b>

### PROGRAMMING CONTENT COMPLIANCE

## PROGRAMMING CONTENT COMPLIANCE

The Commission investigated three (3) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by twelve (12) when compared to the previous quarter October to December 2019.

**Table 1** details the complaint investigated relating to content standards between January and March 2020, 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 2017.

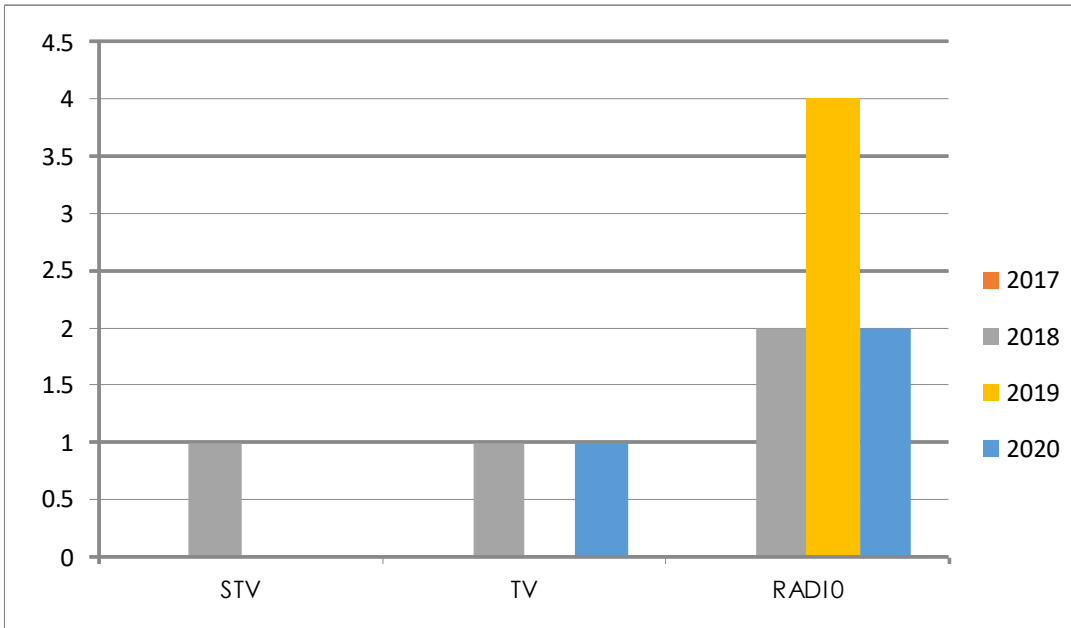
**Table 1**

**Content Standards Complaints Investigated: January- March 2020**

	Transmission of profane language during the airing of a song	Transmission of indecent profane language during the programme "Talking History".				<b>Total</b>
<b>Television Jamaica Ltd.</b>	1					1
<b>Grove Broadcasting Co. Ltd. (ZIP)</b>	1					1
<b>Nationwide News Network</b>		1				1
<b>Total</b>	<b>2</b>	<b>1</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 (January- March) from 2016 to 2019



	2007	2008	2009	2010
<b>STV</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>TV</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>RADIO</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>12</b>

	2017	2018	2019	2020
<b>STV</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>TV</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>RADIO</b>	<b>4</b>	<b>9</b>	<b>5</b>	<b>2</b>

## TECHNICAL COMPLIANCE

### TECHNICAL MONITORING

The facilities of eight (8) 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: January – March 2019**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Cabletron Network Ltd. (Hometime Entertainment Ltd.)	17(4)(d), 17(4)(e), 15(a)	Letter dated February 6, 2020 sent to licensee to advise of findings of inspection.
2.	Wilson's Enterprise Ltd.	17(4)(e)	Letter dated March 5, 2020 sent to licensee to advise of findings of inspection.
3.	Santastic Cable Systems Ltd.	17(4)(e)	Letter dated March 5, 2020 sent to licensee to advise of findings of inspection.
4.	Odyssey Cable Vision Ltd.	17(4)(e)	Follow up action pending.

5.	Cable One Jamaica Ltd.	17(1)(d),17(4)(d),17(4)e	Follow up action pending.
6.	Somane Pesole Communications Ltd.	17(4)(d),17(4)(e),	No Breach detected.
7.	Inntech Communications Ltd.	16(1),17(4)e	Follow up action pending.
8.	McKoy's Cable Television Ltd.	17(4)d, 17(4)e, 15(a)	Letter dated February 6, 2020 sent to licensee to advise of findings of inspection.

**NB: Breach of Licence (1) means systems is not addressable**  
**Breach of Licence (2) means not providing service to a licenced zone (s)**

**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.

Seven (7) investigations were resolved between January and March 2020.

**Table 3**

**Resolution of Complaints by Licensee Type**

	No. of Investigated Complaints Resolved
Subscriber Television	-
Broadcast Television	1
Broadcast Radio	6
<b>Total</b>	<b>7</b>



**Table 4**

**Resolution of Complaints by Category**

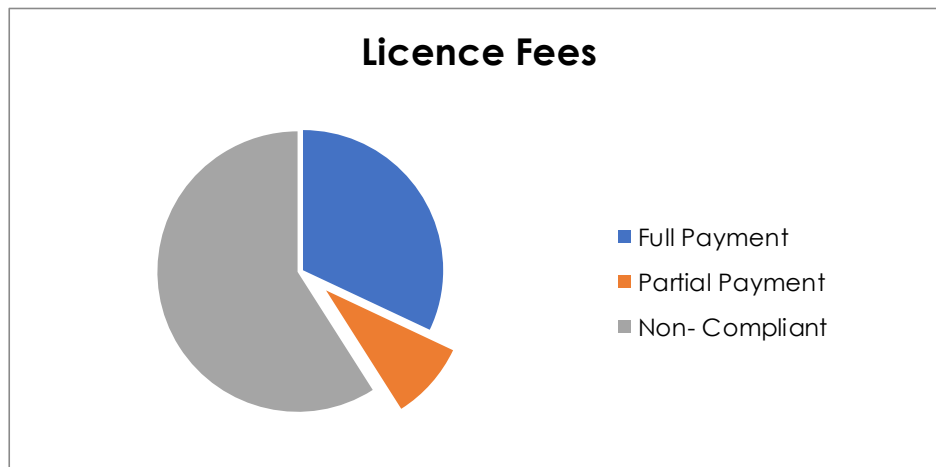
Category	Total
<b>Closed – No Evidence of Breach</b>	
Subscriber Television	-
Broadcast Radio	<b>3</b>
Broadcast Television	<b>1</b>
<b>Closed- No further Sanction Required</b>	
Subscriber Television	-
Broadcast Radio	
Broadcast Television	-
<b>Closed – Complied with Required Remedial Action</b>	
Subscriber Television	-
Broadcast Radio	<b>3</b>
Broadcast Television	-
<b>Total</b>	<b>7</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	-	32%
Partial Payment	-	9%
Non- Compliant	-	59%

**STV Licensees Financial Compliance  
For Quarter Ended March 31, 2020**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2 0 1 5	2 0 1 6	2 0 1 7	2 0 1 8	2 0 1 9	Pai d in Full	Par tial Pa ym ent	No n- Co mp lian t
1	Advance Cable Systems Ltd.	no	no	no	no	no			✓
2	Astra Technology Ltd.	no	no	no	no	no			✓
3	Cable One Jamaica Ltd. yes	yes	yes	yes	no	no		✓	
4	Cabletron Network Systems Ltd.	no	no	no	no	no			✓
5	Central Clarendon Cable Ltd.	no	no	no	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.	no	no	no	no	no			✓
9	Communicable Ltd.	no	no	no	no	no			✓
10	Cornwall Communications Ltd.	no	no	no	no	no		✓	
11	CTL Limited	no	no	no	no	no	✓		

12	Digicel Jamaica (formerly Telstar Cable Ltd)	n/a	yes	yes	yes	no			✓
13	Digital Interactive Systems Limited	n/a	n/a	no	yes	no		✓	
14	Direct Cable Systems Ltd.	no	no	no	no	no			n/o
15	Gemini Cable Network	yes	yes	yes	yes	no	✓		
16	General Satellite Network Company	yes	no	no	no	no			✓
17	Guthrie's Communications Ltd	no	no	no	no	no			✓
18	Home Time Entertainment	no	no	yes	no	no			✓
19	Horizon Entertainment & Communication	no	yes	no	no	no			✓
20	Inntech Communications Ltd.	yes	yes	no	no	no	✓		
21	JACS	n/a	n/a	n/a	no	no			✓
22	Jamaica Cablevision Ltd.	no	no	no	no	no	✓		
23	Krisara Cable Co. Ltd.	n/a	n/a	no	no	no			✓
24	Linscom Network Limited	no	yes	yes	no	no			✓
25	Logic One Limited	yes	yes	no	no	no	✓		

**STV Licensees Financial Compliance**

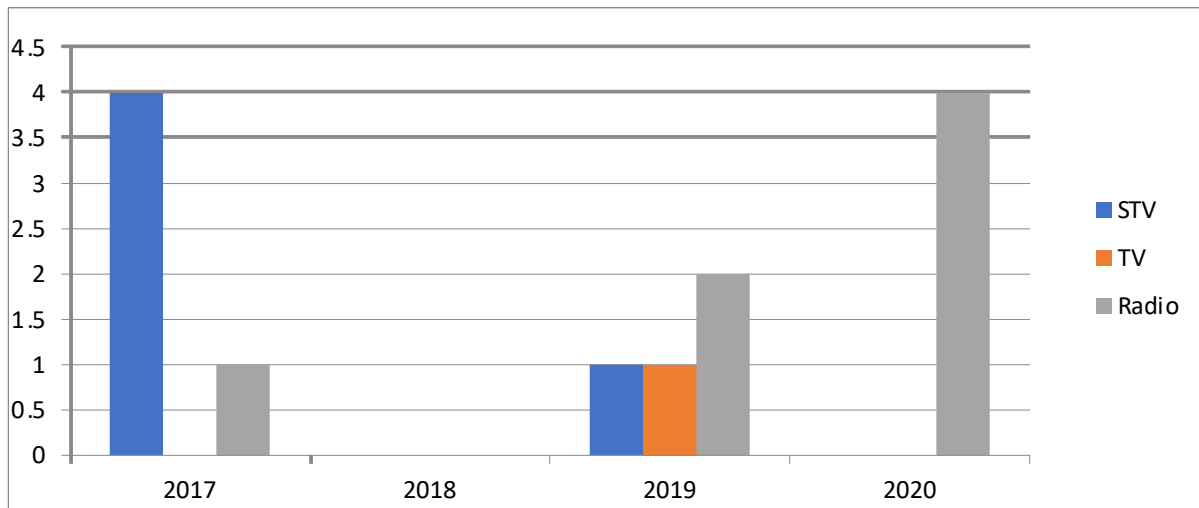
		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2015	2016	2017	2018	2019	Paid in Full	Partial Payment	Non-Compliant
LICENSEES									
26	Marimaxx Communications Ltd.	no	no	yes	no	no			✓
27	Mars Cable Vision Ltd.	yes	yes	yes	no	no	✓		
28	McKoy's Cable Television Co. Ltd.	no	no	no	no	no			✓
29	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓
30	Modern Re-Broadcasting Co. Ltd.	no	yes	yes	no	no	✓		
31	Nems Electrical & Satellite Ltd.	no	no	no	no	no			✓

32	Network Cable Service	yes	yes	yes	yes	no	✓		
33	Odyssey Cable Vision Limited	yes	yes	yes	no	no	✓		
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.	yes	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	no	no	no	✓		
42	St. Thomas Cable Network Limited	yes	yes	yes	no	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	no	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			✓

**NOTICES OF BREACH**

During the period under review four (4) Notices of Breach were issued to licensees. All four (4) of these notices arose from the contravention of Content Standards.

**Figure 3**  
**TREND IN B REACHES COMMITTED (BY SERVICE)**



	2017	2018	2019	2020
STV	0	1	0	0
TV	0	1	0	1
RADIO	0	2	4	3

**Table 6**  
**BREACHES BY LICENSEES**

**BREACHES BY BROADCAST RADIO LICENSEES**

**UNIVERSAL MEDIA COMPANY LTD.(Newstalk 93 FM)**

**DATE OF NOTIFICATION:** February 10, 2020  
**COMPLAINT NUMBER:** 2019112100  
**NATURE OF COMPLAINT:** Transmission of a song with excessive sexual 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.  
**STATUS:** Closed.

**MOTHER IN CRISIS (SUN CITY RADIO)**

**DATE OF NOTIFICATION:** February 10, 2020  
**COMPLAINT NUMBER:** 2019120900  
**NATURE OF COMPLAINT:** Transmission of a song with excessive sexual 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 apologized. No further sanction required..  
**STATUS:** Closed.

**GROVE BROADCASTING COMPANY LTD. (ZIP 103FM)**

**DATE OF NOTIFICATION:** February 10, 2020  
**COMPLAINT NUMBER:** 2019121200  
**NATURE OF COMPLAINT:** Transmission of graphic language during Digicel Shake to Win  
**NATURE OF BREACH:** Breach of Regulation 30 (d) of the TSBR and the Code.  
**COMMISSION DECISION:** Licensee in Breach  
**REMEDIAL ACTION:** Commission accepted licensee's internal remedial action. Licensee apologized. No further sanction required.  
**STATUS:** Closed.

**BREACHES BY BROADCAST TELEVISION LICENSEE**

**TELEVISION JAMAICA (TVJ)**

DATE OF NOTIFICATION:	February 10, 2020
COMPLAINT NUMBER:	2019110401
NATURE OF COMPLAINT:	Transmission of material with graphic violent content
NATURE OF BREACH:	Breach the scheduling requirement of the Code and should be transmitted after 8:00 p.m.
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Licensee directed to transmit apology.
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**