

February 20, 2022

## **Broadcast Rights: A Clash of Commercial and Public Interests**

Dear Editor:

I write in reference to a letter to the editor titled 'Pay-to-view broadcast of Beijing Winter Olympics is unfair' published in the daily Gleaner of February 8, 2022. The writer complained about SportsMax's exclusive rights to broadcast the Winter Olympics and called on the Broadcasting Commission of Jamaica (BCJ) to intervene. Other persons in the comment section joined in expressing their disquiet about the arrangement and one even accused the BCJ of being in a slumber.

These sports fans seem to be unaware that in the absence of legislation which restricts how sports licensing is administered, organisations such as the International Olympic Committee (IOC) have complete autonomy over the sale of broadcast rights to their events. As with the Winter Olympics, the IOC or its agents may choose to enter into an exclusive distribution agreement with a pay-TV broadcaster. It is agreed that this arrangement does not allow for the widest public access, but there is no statutory authority for the BCJ to intervene.

Having said that, wide access to significant and culturally relevant sporting events is a matter of public interest. The BCJ recognises this and is on record advocating for government to consider a regime which balances the commercial interests of sports organisations and the social value of ordinary Jamaicans being able to see important sporting events, especially when our national teams and representatives are participating. We have, in the past,

expressed these concerns to the IOC, commented on it at various public fora and will continue to do so, especially with the government and broadcasting interests.

Let me also say that far from being in 'a slumber' the BCJ has been very active, perhaps too quietly. We are in the early stages of implementing digital television switchover which is the most revolutionary transformation of free-to-air broadcasting since the switch from black and white to colour television decades ago. When the process is complete in 2023, Jamaicans will experience 'next generation' television broadcasts.

We have also spearheaded, with UNESCO, the Caribbean Artificial Intelligence Initiative, the details of which can be accessed at [ai4caribbean.com](http://ai4caribbean.com), and collaborated with the UK's Get Safe Online to establish [www.getsafeonline.org.jm](http://www.getsafeonline.org.jm), a website dedicated to digital literacy, the first step in establishing a digital literacy academy for Jamaica. The BCJ is also completing a Digital Media and Information Literacy Skills Framework (DMILSF) for Jamaica, in collaboration with the Mona School of Business and Management, UWI, and in the first quarter of the financial year 2022-2023, we will have in place a modern Content Code to manage existing and emerging challenges with content.

It is our hope that government will play its part by repealing obsolete provisions in the Broadcasting and Radio Re-Diffusion Act and updating the law to allow for new approaches including a framework to govern the exclusive licensing of content.

Cordel Green  
Executive Director  
Broadcasting Commission