



MONITORING & COMPLIANCE REPORT

OCTOBER-DECEMBER

2023



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EXECUTIVE SUMMARY

BCJ - Quarterly Monitoring & Compliance Report (October – December 2023)

During the period October - December 2023, eighteen (18) Notices of Breach of Licence were issued, all of which related to broadcast radio licensees.

Thirty (30) contacts were recorded for the period under review. Of this number, twelve (12) were complaints which resulted in investigations of broadcast radio stations. Eighteen (18) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All twelve (12) complaints were matters relating to content standards. This represented a decrease of five (5) when compared with the previous quarter.

Regarding technical matters, four (4) subscriber television (STV) licensees were inspected. One of the inspections resulted from a complaint while the other three (3) were conducted to determine the licensees' technical compliance.

In relation to the payment of the annual licence fee, twelve (12) STV operators, or 31% of all licensees paid in full; five (5) or 13% made partial payments and twenty-two (22) or 56% were non-compliant. There was a decrease in the number of full payments recorded when compared to the previous quarter while there was no change in the number of licensees who made partial payments. There was an increase in the number of non-compliant licensees.

CONTACTS WITH THE COMMISSION

Thirty (30) contacts were recorded for the period October – December 2023 as seen in Table 1 below.

Table 1: BREAKDOWN OF CONTACTS

QUERIES, REQUESTS, AND REPORTS:	October 2023	November 2023	December 2023	TOTAL
Complaints Received and Investigated	4	8	-	12
Subscriber Television technical issues	3	2	3	8
Subscriber Television customer service issues	2	2	-	4
Other operational Issues	4	1	1	6
TOTAL	13	13	4	30

CONTENT STANDARDS COMPLAINTS

The Commission investigated twelve (12) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by five (5) when compared to the previous quarter.

Table 2 details the nature of the investigations conducted by the Commission between October and December 2023.

Figure 1 illustrates the trends in content standards complaints investigated in similar reporting periods since 2020.

Table 2

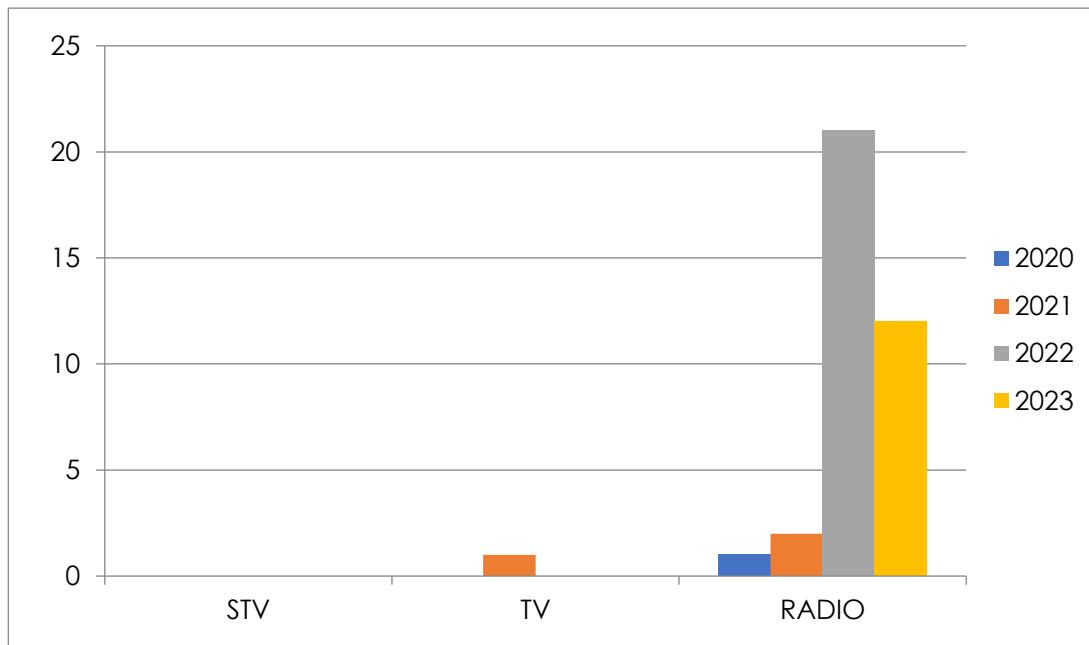
Content Standards Complaints Investigated: October–December 2023

Licensees	Nature of Complaints				Total
	Transmission of violent lyrics in a song	Transmission of indecent and profane language in a song	Transmission of sexually suggestive lyrics in a song	Transmission of lyrics in breach of the October 11, 2022 Directive	
Radio Jamaica Limited (FAME 95 FM)			2	1	3
Grove Broadcasting Company Limited (ZIP 103FM)		2		2	4
S & B Communications (FYAH 105 FM)				2	2
Western Broadcasting Limited (RIDDIM FM)		1			1
Mother in Crisis (SUNCITY RADIO)				1	1
Grove Broadcasting Company Limited (IRIE FM)	1				1
TOTAL	1	3	2	6	12

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

Figure 1:

CONTENT STANDARDS COMPLAINTS INVESTIGATED
Trends for Quarter (October- December) from 2020 to 2023



	2020	2021	2022	2023
STV	0	0	0	0
TV	0	1	0	0
RADIO	1	2	21	12

TECHNICAL COMPLIANCE

The main activities conducted by the technical department during the quarter were:

1. STV licensees' inspection (Table 3a, b, and c)
2. Cable signal leakage investigation (Table 2)

Table 3a: STV Licensee Inspection

No.	LICENSEE	PARISH OF INSPECTION	ZONE(S) SERVED	DATE OF INSPECTION	BREACHES DETECTED	ACTION TAKEN BY THE COMMISSION
1.	Somane Pesole Communications Limited	Manchester (1 Zone)	Newport	September 27, 2023	Yes	The licensee was issued with a post-inspection letter dated November 9, 2023 where an opportunity was given to address the areas of non-compliance detected during the inspection.

Note: Somane Pesole Communications' inspection was done near the end of September, hence it is captured in the October to December 2023 Quarterly Report.

Table 3b: STV Licensee Inspection

No.	LICENSEE	PARISH OF INSPECTION	ZONE(S) SERVED	DATE OF INSPECTION	BREACHES DETECTED	ACTION TAKEN BY THE COMMISSION
1.	Horizon Entertainment and Communication Limited	St. Mary (3 Zones)	Oracabessa, Mason Hall, Retreat	November 21 & 22, 2023	<u>Yes</u>	The licensee is to be issued with a post-inspection letter and given an opportunity to address the areas of non-compliance detected during the inspection.

Note: Post-inspection letter was sent on January 12, 2024.

Table 3c: STV Licensee Inspection

No.	LICENSEE	PARISH OF INSPECTION	ZONE(S) SERVED	DATE OF INSPECTION	BREACHES DETECTED	ACTION TAKEN BY THE COMMISSION
1.	Advance Cable System Company Limited	Clarendon & St. Catherine (13 Zones)	Sandy Bay, Riversdale North, Riversdale South, Bogwalk, Linstead, Ewarton, Spring Vale, Browns Hall, Red Ground, Kitson Town, Gutters, Old Harbour, Old Harbour Bay	November 29, 2023 (inspection incomplete)	<u>Yes</u>	The licensee's inspection started on November 29, 2023. However, it was not completed due to challenges the licensee was having in a number of the zones served. A request seeking an extension to complete the inspection was submitted by the licensee.

Note: In January 2024, Advance Cable was granted an extension to resolve the reported issues to allow for the completion of the inspection.

Note: No activity was conducted by the Technical Department for the month of October 2023 due to the poor weather conditions affecting the island throughout the month.

For most of December 2023, one member of the department was out on vacation leave.

Table 4: Cable Signal Leakage Investigation

No.	LICENSEE	NATURE OF INVESTIGATION	LOCATION OF INVESTIGATION	DATE OF INVESTIGATION	BREACHES DETECTED	ACTION TAKEN BY THE COMMISSION
1.	Combined Communications Limited.	Investigation into high cable signal leakage	Along Terminal Road which is off the Old Harbour Bay Main Road, in Old Harbour, St. Catherine.	November 29, 2023	Yes	The licensee is to be notified of the high cable signal leakage at the location and be directed to take the necessary action to address it.

Note: Licensee was notified on January 12, 2024.

COMPLAINTS RESOLUTION

Eighteen (18) investigations were resolved between October – December 2023. Except for matters that fall outside of the Commission's mandate, all complaints are investigated. As soon as investigations are completed, the complainants and the relevant licensees are notified of the outcome, and the Commission then considers the matter resolved.

Table 5

Resolution of Complaints by Licensee Type

NO. OF INVESTIGATED COMPLAINTS RESOLVED	
Subscriber Television	-
Broadcast Television	1
Broadcast Radio	17
TOTAL	18

Table 6

Resolution of Complaints by Category

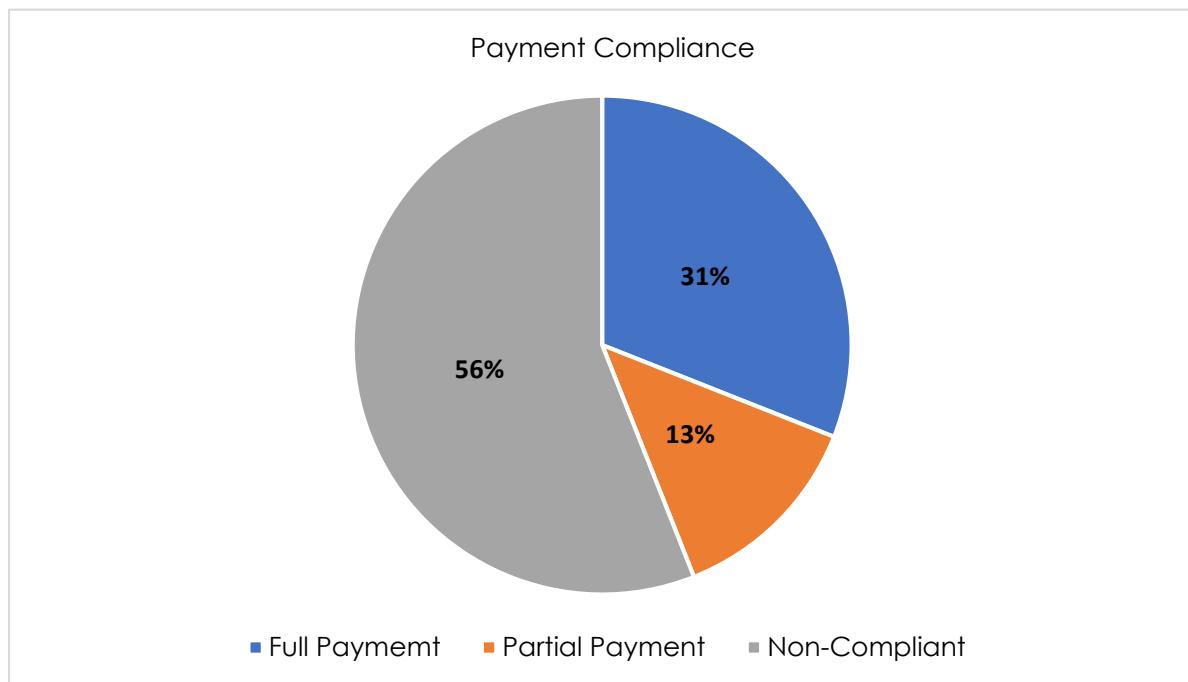
CATEGORY	TOTAL
Closed - Complied with required remedial action for breach of licence	
Broadcast Radio	5
Broadcast Television	1
Closed – No Evidence of Breach	
Broadcast Radio	4
Broadcast Television	-
No Sanction Applied/ Commission accepted licensee remedial action	
Broadcast Radio	8
Broadcast Television	-
TOTAL	18

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	- 31% (12 STV operators)
Partial Payment	- 13% (5 STV operators)
Non-Compliant	- 56% (22 STV operators)

Table 7
STV Licensees Financial Compliance
For quarter ended December 31, 2023

	LICENSEES	SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2018	2019	2020	2021	2022	Paid in Full	Partial Payment	Non-Compliant
1	Advance Cable Systems Ltd.	no	no	yes	no	no			✓
2	Astra Technology Ltd.	no	no	no	no	no		✓	
3	Best TV Communications Group Ltd	--	--	--	n/a	no			✓
4	Cable One Jamaica Ltd.	yes	no	yes	yes	no		✓	
5	Cabletron Network Systems Ltd. (<i>managed by Home Time Entertainment Limited</i>)	yes	yes	yes	no	no			✓
6	Central Clarendon Cable Ltd.	no	no	no	no	no			*
7	Central Communication Services Ltd.	yes	yes	no	no	no	✓		
8	Columbus Communications - FLOW	yes	no	yes	no	no	✓		
9	Combined Communications Ltd.	no	no	yes	no	no		✓	
10	Communicable Ltd	no	no	no	no	no			✓
11	Cornwall Communications Ltd.	yes	yes	yes	no	no			✓
12	CTL Limited	yes	no	yes	yes	no	✓		
13	Digicel Jamaica	yes	no	yes	yes	yes	✓		
14	Digital Interactive Systems Limited	yes	yes	yes	yes	no			✓
15	Direct Cable Systems Ltd.	no	no	no	no	no			**
16	Gemini Cable Network	yes	no	no	no	no	✓		
17	General Satellite Network Company	yes	yes	no	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	no	no	yes	yes	no			✓
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	no	✓		
22	JACS	no	yes	yes	yes	no	✓		
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	no	no	no	no	no			✓
26	Marimaxx Communications Ltd. (<i>managed by Home Time Entertainment Limited</i>)	no	no	no	no	no			✓

STV Licensees Financial Compliance Contd.

	LICENSEES	SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		Non-Compliant
		2018	2019	2020	2021	2022	Paid in Full	Partial Payment	
27	Mars Cable Vision Limited	yes	yes	yes	yes	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	no	no	no	no			✓
31	Nems Electrical & Satellite Ltd.	no	no	no	no	no			✓
32	Network Cable Service	yes	yes	no	yes	no	✓		
33	Odyssey Cable Vision Limited	yes	yes	yes	yes	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. (managed by Odyssey Cable Vision Limited)	yes	yes	yes	no	no		✓	
39	Somane Pesole Communications Ltd.	no	no	no	no	no	✓		
40	Stars Cable Company Ltd.	no	yes	yes	yes	no		✓	
41	St. Thomas Cable Network Limited	no	no	no	no	no			✓
42	Summit Satellite Systems Limited	no	no	no	no	no			***
43	Total Cable	no	no	yes	no	no			✓
44	Tru Star Cable Television Network	no	no	no	no	no			****
45	Venus Cable Services	no	no	no	no	no			**
46	Vere Cable Network Limited	no	no	no	no	no			✓
47	Westar Communications Limited	no	no	no	no	no			✓
48	Wilson Enterprises Limited	no	no	yes	yes	yes			✓

--Licence Not Issued;

n/a - Not Applicable (Licence granted during year. A licensee is not expected to submit audited financial statements in the year that a licence is granted).

* The licensee is currently not operating and has indicated that it intends to pull out of the STV business. The licence expires on March 30, 2024.

** The licensee has reported that it is no longer operating. The Commission will conduct an independent inspection to verify, and determine appropriate next steps.

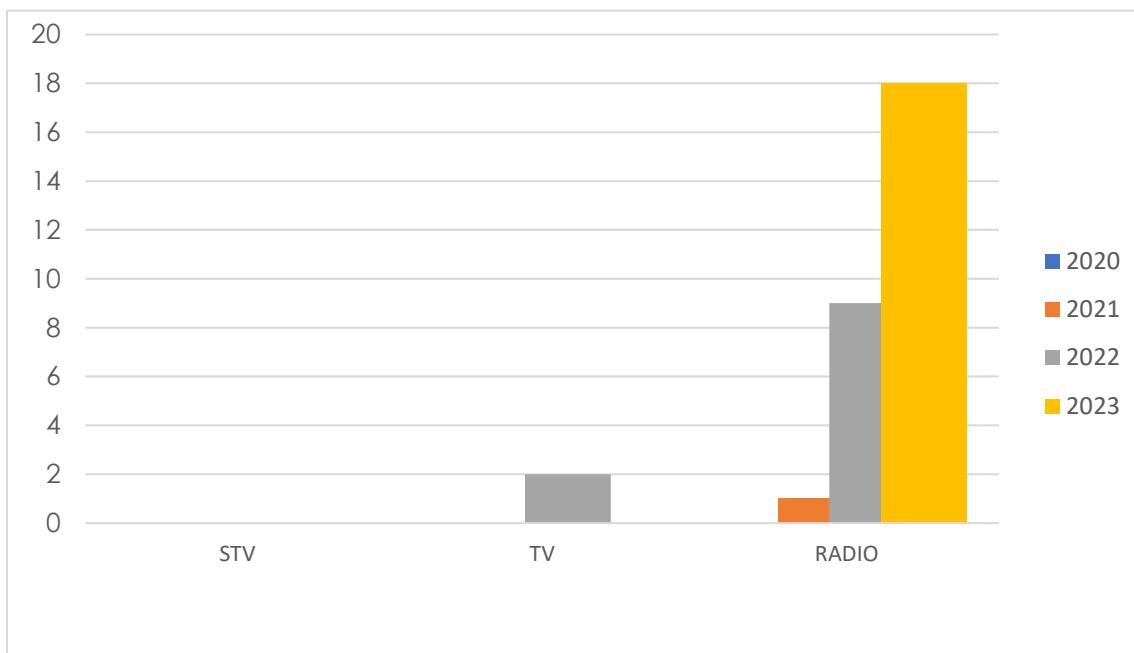
*** The licensee is not operating; however, it has submitted an application for renewal of licence which is being processed.

**** The licensee is not operating and has formally advised the Commission of its intention to transfer ownership of its operations to another licensee

NOTICES OF BREACHES

During the period under review, eighteen (18) Notices of Breach were issued to licensees. These Notices of Breach arose from contraventions of the Television and Sound Broadcasting Regulations, and Broadcasting and Radio Re-Diffusion Act.

Figure 3
TREND IN BREACHES COMMITTED (BY SERVICE)



	2020	2021	2022	2023
STV	0	0	0	0
TV	0	0	2	0
RADIO	0	1	9	18

BREACHES BY LICENSEES
BREACHES BY BROADCAST RADIO LICENSEES

- 'Date of Notification' is meant to indicate the date on which the notice of breach was issued, pursuant to Section 20 of the Broadcasting and Radio Re-diffusion Act.
- TSBR - Television and Sound Broadcasting Regulations
- Code - Children's Code for Programming

1. S & B COMMUNICATIONS LIMITED (FYAH 105 FM)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023072001
NATURE OF COMPLAINT: Transmission of a song in breach of the October 11, 2022 Directive.
NATURE OF BREACH: Breach of the October 11, 2022 Directive
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

2. BLACK ROSES ENTERPRISE LIMITED (ROSES FM)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023062800
NATURE OF COMPLAINT: Transmission of a song in breach of the October 11, 2022 Directive, Regulation 30(d) of the TSBR and the scheduling requirements of the Code
NATURE OF BREACH: Breach of the October 11, 2022 Directive, Regulation 30(d) of the TSBR and the scheduling requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

3. GROVE BROADCASTING COMPANY LIMITED (ZIP 103 FM)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023063001
NATURE OF COMPLAINT: Transmission of a song in breach of the October 11, 2022 Directive.
NATURE OF BREACH: Breach of the October 11, 2022 Directive
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

4. KOMMERCIAL SUITES LIMITED (Mega Jamz 98 FM)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023063003
NATURE OF COMPLAINT: Transmission of a song with sexual suggestive lyrics
NATURE OF BREACH: Breach of the scheduling requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

5. MOTHER IN CRISIS (SUNCITY RADIO)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023060101
NATURE OF COMPLAINT: Transmission of songs in breach of the October 11, 2022 Directive
NATURE OF BREACH: Breach of the Regulation 11(3) of the TSBR and Section 17 of the BRRA
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: No remedial action was required
STATUS: Closed

6. MOTHER IN CRISIS (SUNCITY RADIO)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023060102
NATURE OF COMPLAINT: Transmission of a song with sexual suggestive lyrics
NATURE OF BREACH: Breach of Scheduling requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Commission accepted the licensee's remedial action
STATUS: Closed

7. CARIBBEAN GLOBAL NETWORK INC. (The Bridge 99 FM)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023071401
NATURE OF COMPLAINT: Transmission of a song in breach of the October 11, 2022 Directive

NATURE OF BREACH: Breach of the Scheduling requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: No remedial action was required
STATUS: Closed

8. KOMMERCIAL SUITES LIMITED (Mega Jamz 98 FM)

DATE OF NOTIFICATION: October 5, 2023
COMPLAINT NUMBER: 2023072002
NATURE OF COMPLAINT: Transmission of a song in with sexually suggestive lyrics
NATURE OF BREACH: Breach of the Scheduling requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: No remedial action was required
STATUS: Closed

9. BLACK ROSES ENTERPRISES LIMITED (ROSES FM)

DATE OF NOTIFICATION: November 13, 2023
COMPLAINT NUMBER: 2023072003
NATURE OF COMPLAINT: Transmission of a song with indecent and profane language
NATURE OF BREACH: Breach of the October 11, 2022 Directive and Regulation 30(d) of the TSBR, and the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

10. BLACK ROSES ENTERPRISES LIMITED (ROSES FM)

DATE OF NOTIFICATION: November 13, 2023
COMPLAINT NUMBER: 2023091502
NATURE OF COMPLAINT: Transmission of songs in breach of the October 11, 2022 Directive
NATURE OF BREACH: Breach of the October 11, 2022 Directive
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

11. S & B COMMUNICATIONS LIMITED (The Edge FM)

DATE OF NOTIFICATION: November 13, 2023
COMPLAINT NUMBER: 2023091501
NATURE OF COMPLAINT: Transmission of a song in breach of the October 11, 2022 Directive
NATURE OF BREACH: Breach of the October 11, 2022 Directive
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

12. S & B COMMUNICATIONS LIMITED (The Edge FM)

DATE OF NOTIFICATION: December 13, 2023
COMPLAINT NUMBER: 2023092000
NATURE OF COMPLAINT: Transmission of comments which appeared to promote/encourage looting
NATURE OF BREACH: Breach of the October 11, 2022 Directive, Regulation 30(j) of the TSBR
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

13. GROVE BROADCASTING COMPANY LIMITED (ZIP 103)

DATE OF NOTIFICATION: December 13, 2023
COMPLAINT NUMBER: 2023101301
NATURE OF COMPLAINT: Transmission of a song in breach of the October 11, 2022 Directive
NATURE OF BREACH: Breach of the October 11, 2022 Directive
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

14. MOTHER IN CRISIS (Suncity Radio)

DATE OF NOTIFICATION: December 13, 2023
COMPLAINT NUMBER: 2023080400
NATURE OF COMPLAINT: Transmission of a song with profanity

NATURE OF BREACH: Breach of Regulation 11(3) of the TSBR and Section 17 of the BRRA
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: The Commission accepted the licensee's remedial action
STATUS: Closed

15. MOTHER IN CRISIS (Suncity Radio)

DATE OF NOTIFICATION: December 13, 2023
COMPLAINT NUMBER: 2023080401
NATURE OF COMPLAINT: Transmission of a song in with sexually suggestive lyrics
NATURE OF BREACH: Breach of Regulation 11(3) of the TSBR and Section 17 of the BRRA
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: The Commission accepted the licensee's remedial action
STATUS: Closed

16. CARIBBEAN GLOBAL NETWORK INC. (The Bridge 99 FM)

DATE OF NOTIFICATION: December 13, 2023
COMPLAINT NUMBER: 2023060103
NATURE OF COMPLAINT: Transmission of sexual content
NATURE OF BREACH: Breach of the Scheduling Requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

17. CARIBBEAN GLOBAL NETWORK INC. (The Bridge 99 FM)

DATE OF NOTIFICATION: December 13, 2023
COMPLAINT NUMBER: 2023051902
NATURE OF COMPLAINT: Transmission of sexual content
NATURE OF BREACH: Breach of the Scheduling Requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed

18. CARIBBEAN GLOBAL NETWORK INC. (The Bridge 99 FM)

DATE OF NOTIFICATION: December 13, 2023
COMPLAINT NUMBER: 2023051903
NATURE OF COMPLAINT: Transmission of sexual content
NATURE OF BREACH: Breach of the Scheduling Requirements of the Code
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee transmitted prescribed apology
STATUS: Closed