



MONITORING & COMPLIANCE REPORT

JULY - SEPTEMBER
2020



TABLE OF CONTENTS

Executive Summary	1
Introduction	2
Breakdown of Contacts	2
Programming Content Compliance	3
Technical Compliance	6
Complaints Resolution	7
Financial Compliance	9
Notices of Breach	12

Tables:

Table 1 - Content Standards Report	4
Table 2 - Technical Compliance	6
Table 3 - Resolution of Complaints by Licensee Type	7
Table 4 - Resolution of Complaints by Category	8
Table 5 - STV Financial Compliance	10-11
Table 6 - Breaches	13

Charts:

Figure 1 - Content Standards Reports Trends: 2017-2020	5
Figure 2 - STV Licence Fee Payment.....	9
Figure 3 - Trend in Total Breaches. 2017-2020	12

EXECUTIVE SUMMARY
BCJ - Quarterly Monitoring & Compliance Report
(July– September 2020)

During the period July– September 2020, two (2) Notices of Breach of Licence were issued, one (1) to a broadcast radio licensee and the other to a broadcast television licensee. There was a decrease of two (2) when compared with the previous quarter, April to June – 2020.

Seventy-three (73) contacts were recorded for the period July – September 2020. Of this number, three (3) were complaints, which resulted in investigations of broadcast operators. Seventy (70) 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 four (4) when compared with the previous quarter, April – June 2020.

There was only one (1) inspection due to the impact of the COVID 19.

In relation to the payment of the annual licence fee, seventeen (17) subscriber television (STV) operators, or 35% of all licensees paid in full; six (6) or 12% made partial payments and twenty-six (26) or 53% were non-compliant. There was an increase of two (2) in the number of full payments recorded when compared to the previous quarter. The number of licensees who made partial payments increased by one (1) and there was a decrease of three (3) in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

Seventy-three (73) contacts were recorded for the period, July – September 2020. There were three (3) content standard investigations and two (2) Notices of Breach of Licence.

BREAKDOWN OF CONTACTS

	July 2020	August 2020	September 2020	TOTAL
Queries, Requests and Reports:				
Licence Application process	2	-	2	4
Subscriber Television Customer service issues	8	11	3	22
Complaints Received and Investigated	2	1	-	3
Subscriber Television technical issues	5	6	8	19
Other operational issues (with the exception of those indicated above)	8	10	7	25
TOTAL	25	28	20	73

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated three (3) complaints relating to the broadcast of problematic content. The number of complaints investigated decreased by four (4) when compared to the period April - June 2020.

Table 1 details the complaints investigated relating to content standards between July to September, 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 2017.

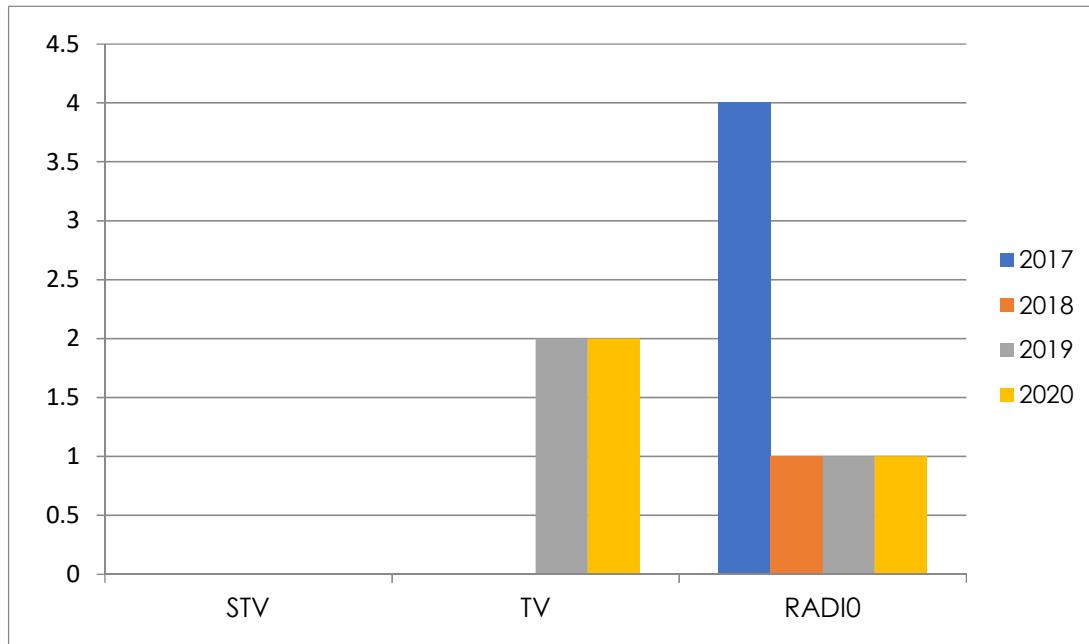
Table 1
Content Standards Complaints Investigated: July –September 2020

	Transmission of graphic expletive during CVM Live.	Transmission of an advertisement containing sexual innuendo.	Transmission of profane language during the airing of a song.	TOTAL
CVM Television Ltd.	1			1
Cornwall Broadcasting (Mello FM)			1	1
Television Jamaica Ltd.		1		1
TOTAL	1	1	1	3

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

Figure 1:

CONTENT STANDARD COMPLAINTS INVESTIGATED
Trends for Quarter (July- September) from 2017 to 2020



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

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

There was only one technical inspection for the period July to September 2020, due to the effects of COVID 19.

Table 2 - lists the subscriber television licensee that was inspected and the areas of technical non-compliance identified.

Table 2: Technical Monitoring: July– September 2020

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Astra Technology Limited	17(1)(h); 17(4)b; 17(4)e; 17(4)d	Post inspection letter pending

NB: Breach of Licence [2]: Non-provision of service in licensed zones(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, 2020.

Table 3
Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	-
Broadcast Television	3
Broadcast Radio	2
Total	5

Table 4
Resolution of Complaints by Category

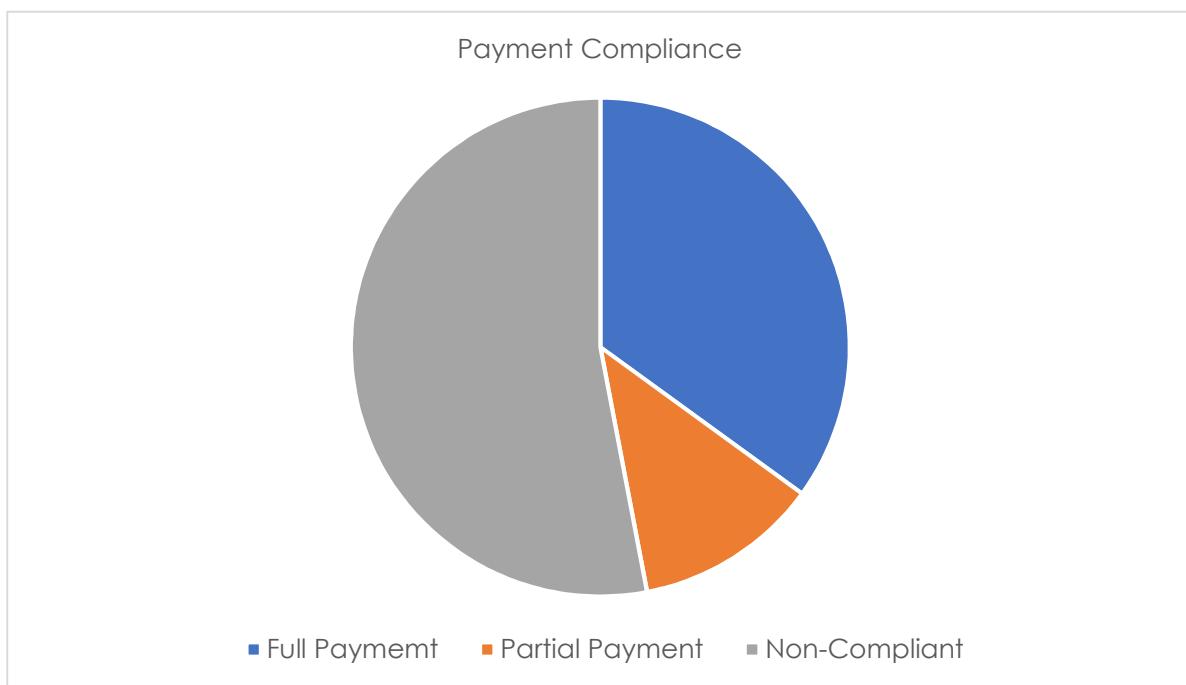
CATEGORY		TOTAL
Closed - Complied with required remedial action for breach of licence		
• Broadcast Radio	1	1
• Broadcast Television	1	1
Closed – No Evidence of Breach		
• Broadcast Radio	1	1
• Broadcast Television	1	1
No Sanction Applied		
• Broadcast Radio	-	-
• Broadcast Television	1	1
Total	5	5

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

Table 5
STV Licensees Financial Compliance
For quarter ended September 30, 2020

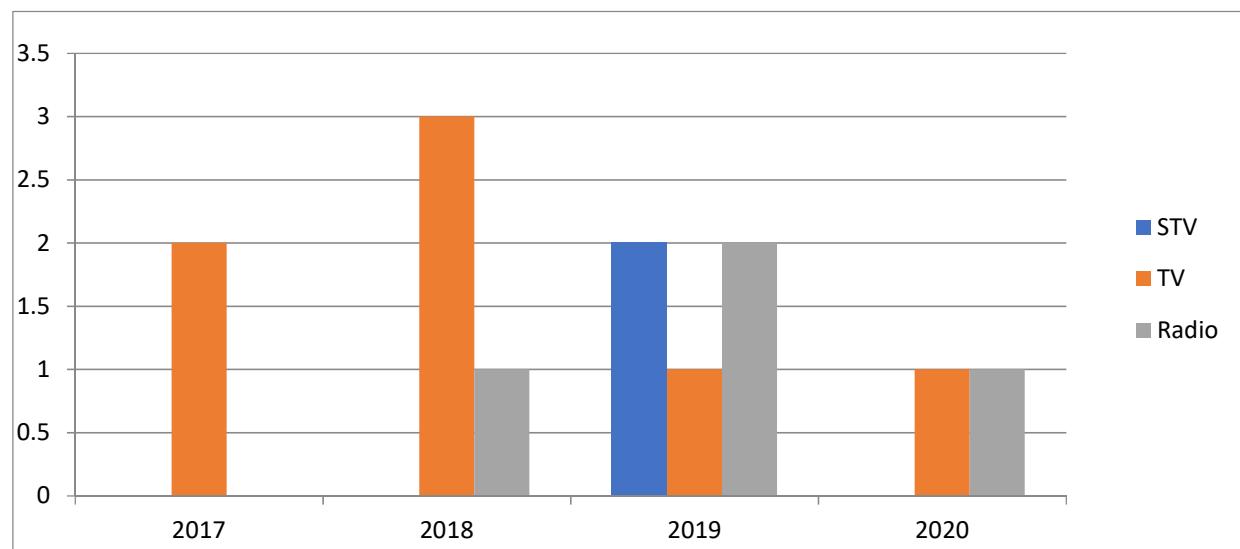
LICENSEES	SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
	2015	2016	2017	2018	2019	Paid in Full	Partial Payment	Non-Compliant
1 Advance Cable Systems Ltd.	no	no	no	no	no		✓	
2 Astra Technology Ltd.	no	no	no	no	no		✓	
3 Cable One Jamaica Ltd.	yes	yes	yes	no	Yes		✓	
4 Cabletron 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	yes	yes		✓	
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			✓
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	✓		

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2015	2016	2017	2018	2019	Paid in Full	Partial Payment	Non-Compliant
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			✓
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, two (2) Notices of Breach were issued to licensees. Both notices arose from contravention of Content Standards.

Figure 3
TREND IN BREACHES COMMITTED (BY SERVICE)



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

Table 6

BREACHES BY LICENSEES
BREACH BY BROADCAST TELEVISION LICENSEE

CVM TELEVISION LIMITED (CVM TV)

DATE OF NOTIFICATION: August 3, 2020
COMPLAINT NUMBER: 2020070200
NATURE OF COMPLAINT: Transmission of graphic expletive during the airing of an episode of the programme CVM Live.
NATURE OF BREACH: Breach of the TSBR and the Code.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: The Commission accepted licensee's internal remedial action.
STATUS: Closed

BREACH BY BROADCAST RADIO LICENSEE

NATIONWIDE NEWS NETWORK (NNN)

DATE OF NOTIFICATION: July 9, 2020
COMPLAINT NUMBER: 2020052200
NATURE OF COMPLAINT: Transmission of excessive language during the airing of a song
NATURE OF BREACH: Breach of TSBR and the Code.
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Commission accepted licensee's internal remedial action.
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.