

MONITORING & COMPLIANCE REPORT

APRIL – JUNE
2020



TABLE OF CONTENTS

Executive Summary	3
Introduction	4
Breakdown of Contacts	4
Programming Content Compliance	5
Complaints Resolution	8
Financial Compliance	10
Notices of Breach	13

Tables:

Table 1 - Content Standards Reports	6
Table 2 - Resolution of Complaints by Licensee	8
Table 3 - Resolution of Complaints by Category	9
Table 4 - STV Financial Compliance	11-12
Table 5- Breaches	14-15

Charts:

Figure 1 - Content Standards Reports Trends: 2017-2020	7
Figure 2 - STV Licence Fee Payment	10
Figure 3 - Trend in Total Breaches, 2017-2020	13

EXECUTIVE SUMMARY
BCJ- Quarterly Monitoring & Compliance Report
(April– June 2020)

During the period April – June 2020, four (4) Notices of Breach of Licence were issued to two (2) broadcast radio licensees and two (2) broadcast television licensees. There was no change when compared with the previous quarter, January to March 2020.

Twenty-five (25) contacts were recorded for the period April – June 2020. Of this number, seven (7) were complaints, which resulted in investigations of broadcast radio and television operators. Eighteen (18) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All seven (7) complaints were matters relating to content standards. There was an increase of four (4) when compared with the previous quarter, January – March 2020.

There was no Technical inspection due to the impact of the COVID 19 pandemic.

In relation to the payment of the annual licence fee, fifteen (15) subscriber television (STV) operators, or 31% of all licensees paid in full; five (5) or 10% made partial payments and twenty-nine (29) or 59% were non-compliant. There was no change 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 one (1) and there was also an increase of one (1) in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

Twenty-five (25) contacts were recorded for the period, April – June 2020. There were seven (7) investigations and four (4) Notices of Breach of Licence.

BREAKDOWN OF CONTACTS

	April 2020	May 2020	June 2020	TOTAL
Queries, Requests and Reports:				
Licence Application process	-	-	2	2
Subscriber Television Customer service issues	-	-	4	4
Complaints Received and Investigated	3	3	1	7
Subscriber Television technical issues	-	-	3	3
Other operational issues (with the exception of those indicated above)	-	-	9	9
TOTAL	3	3	19	25

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated seven (7) complaints relating to the broadcast of problematic content. The number of complaints investigated increased by four (4) when compared to the period January- March 2020.

Table 1 details the complaints investigated relating to content standards between April to June, 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

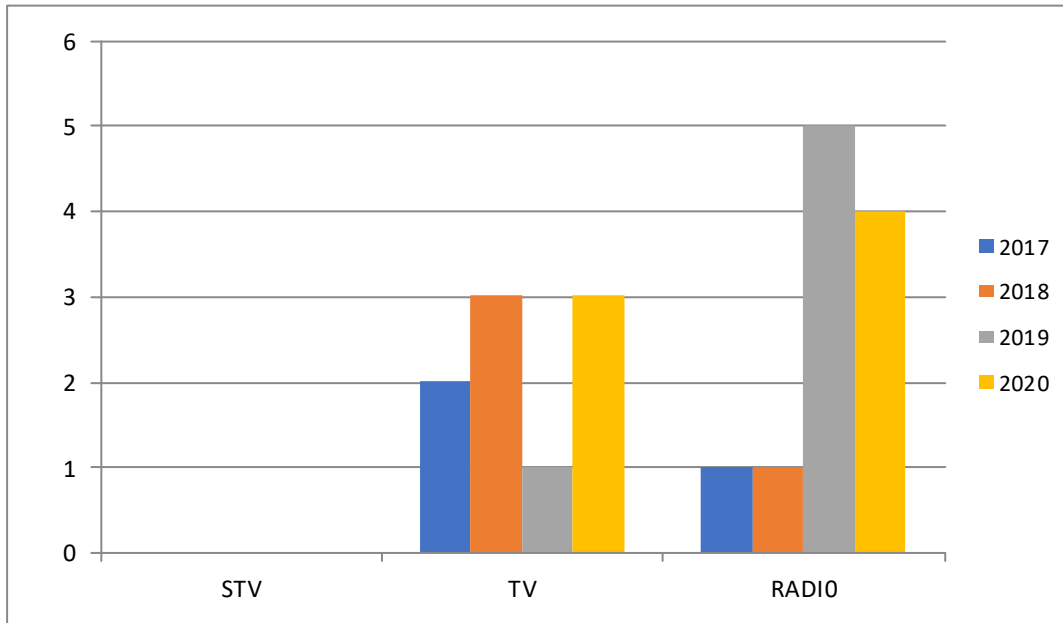
Content Standards Complaints Investigated: April - June 2020

	Transmission of material containing profane language.	Transmission of material in contravention of Licence.	Transmission of profane language during the airing of a song.	Transmission of song containing sexual explicit lyrics.	Transmission of profane language during the airing of a song.	Transmission of content in breach of scheduling requirements of the Code	Transmission of inappropriate material during Prime Time News.		TOTAL
Grove Broadcasting Co. Ltd.(IRIE FM)		1	1						2
FYAH 105 FM				1					1
Television Jamaica Ltd.	1					1	1		3
Nationwide News Network (NNN)					1				1
TOTAL	1	1	1	1	1	1	1		7

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

Figure 1:

CONTENT STANDARD COMPLAINTS INVESTIGATED
Trends for Quarter (April - June) from 2017 to 2020



	2017	2018	2019	2020
STV	0	0	0	0
TV	2	3	1	3
RADIO	1	1	5	4

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

There was no technical inspection for the period April to June 2020, due to the COVID 19 pandemic.

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.

Seven (7) investigations were resolved between April - June, 2020.

Table 2
Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	-
Broadcast Television	3
Broadcast Radio	4
Total	7

Table 3
Resolution of Complaints by Category

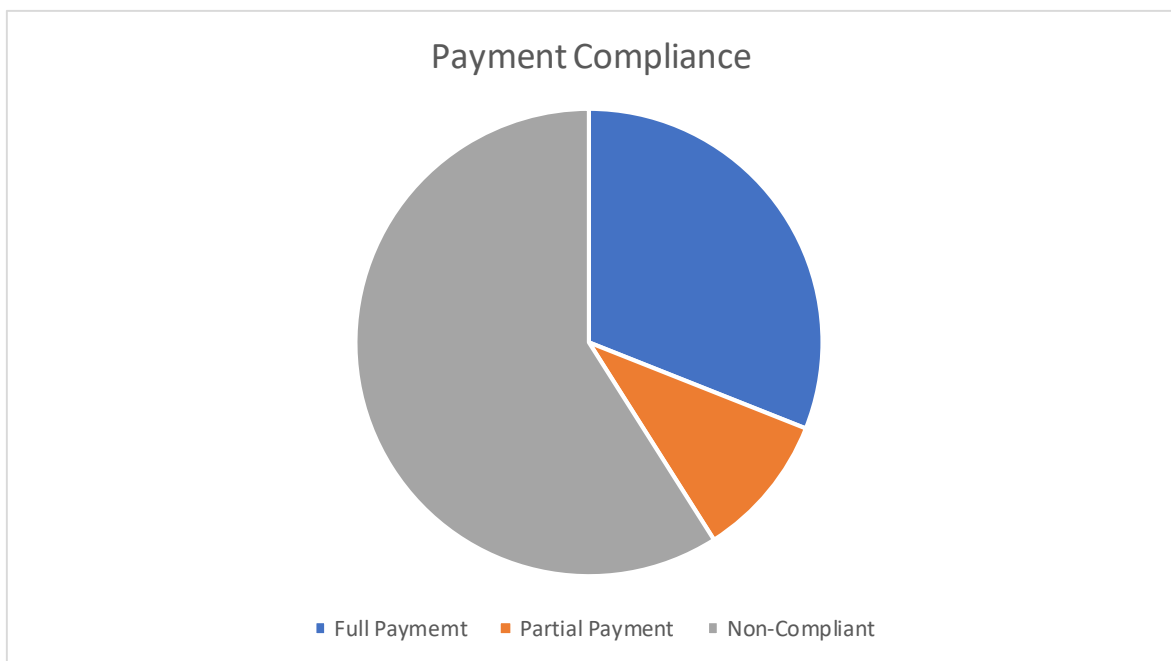
CATEGORY		TOTAL
Closed - Complied with required remedial action for breach of licence		
• Broadcast Radio	4	4
• Broadcast Television	3	3
Closed – No Evidence of Breach		
• Broadcast Radio		
• Broadcast Television		
No Sanction Applied		
• Broadcast Radio		
• Broadcast Television		
Total	7	7

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%
Partial Payment	- 10%
Non- Compliant	- 59%

Table 4
STV Licensees Financial Compliance
For quarter ended June 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	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			✓
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

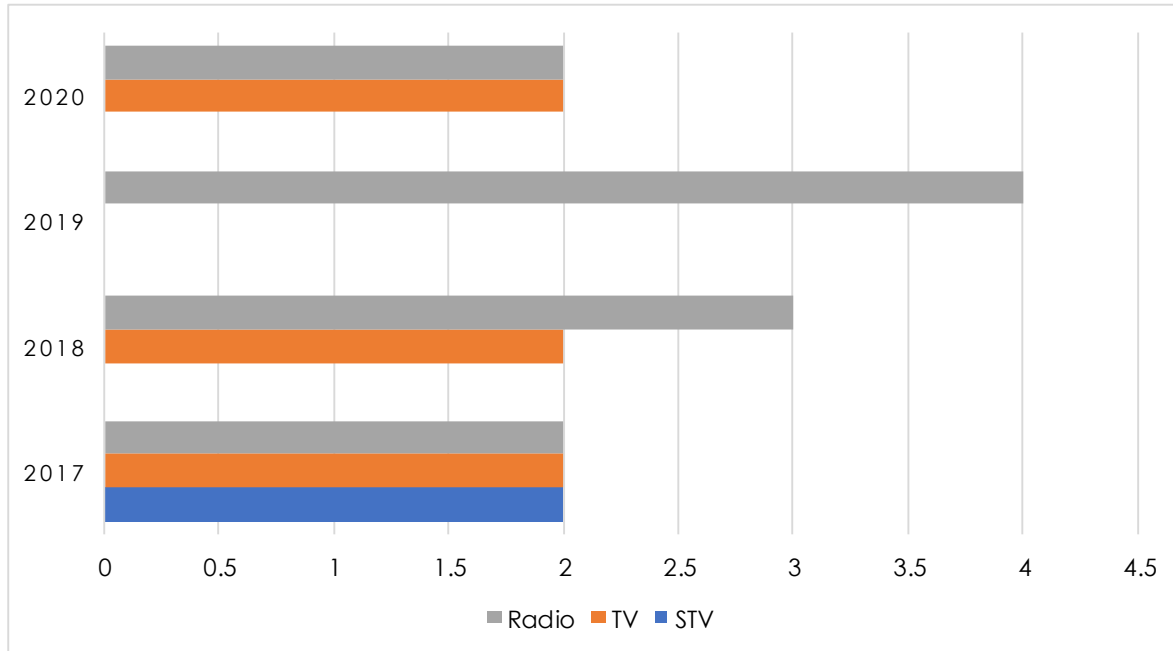
LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2015	2016	2017	2018	2019	Paid In Full	Partial Payment	Non- Compliant
26	Marimaxx Communications Ltd.	no	no	yes	no	no			✓
27	Mars Cable Vision Ltd.	yes	yes	yes	no	no	✓		
28	McKoy's Cable Television Co. Ltd.	no	no	no	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, four (4) Notices of Breach were issued to licensees, all four (4) notices arose from contravention of Content Standards,

Figure 3

TREND IN BREACHES COMMITTED (BY SERVICE)



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

Table 5
BREACHES BY LICENSEES
BREACH BY BROADCAST TELEVISION LICENSEE

TELEVISION JAMAICA LIMITED

DATE OF BREACH: May 8, 2020
COMPLAINT NUMBER: 2020040700
NATURE OF COMPLAINT: Transmission of graphic language during a news story on Prime Time News.
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

TELEVISION JAMAICA LIMITED

DATE OF BREACH: June 8, 2020
COMPLAINT NUMBER: 2020050600
NATURE OF COMPLAINT: Transmission of inappropriate content during Prime Time News.
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

BREACHES BY BROADCAST RADIO LICENSEES

NATIONWIDE NEWS NETWORK

DATE OF BREACH: April 6, 2020
COMPLAINT NUMBER: 2020030300
NATURE OF COMPLAINT: Transmission of profane language.
NATURE OF BREACH: Breach of TSBR and the Code.
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Commission accepted licensees internal remedial action.
STATUS: Closed

S & B COMMUNICATIONS LTD.

DATE OF BREACH: May 8, 2020
COMPLAINT NUMBER: 2020040702
NATURE OF COMPLAINT: Transmission of graphic sexual content during the airing of a song
NATURE OF BREACH: Breach of the scheduling requirements of the Code.
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee directed to transmit apology; Licensee complied.
STATUS: Closed

**** '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.**