



# **ANNUAL REPORT APRIL 2010 TO MARCH 2011**

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## VISION OF THE BROADCASTING COMMISSION (BCJ)

The Commission contributes to the development of Jamaica by enabling a competitive, flourishing, co-regulated electronic communications sector that delivers high quality service and variety, including indigenous expression, is a responsible partner in the regulatory process and operates within the broad parameters administered by the Broadcasting Commission.

## MISSION STATEMENT

The mission of the Broadcasting Commission of Jamaica is:

To enable the orderly development of the electronic communications sector in order to serve the interests of the Jamaican public by regulating and monitoring licensees and by advising government in a manner that is transparent, fair, efficient, effective, facilitative and consultative.

## THE ROLE, COMPOSITION AND MANDATE OF THE BROADCASTING COMMISSION

The Broadcasting Commission (BCJ) is a body corporate established under **The Broadcasting and Radio Re-Diffusion Act (BRRA)**. It is the successor to the

Broadcasting Authority following the 1986 amendment of the BRRA, making the Commission the Caribbean region's most well established communications regulator.

In June 2011 the Commission commemorates its 25th anniversary. It will do so focused on the digital future, under the theme "People-Transitioning-Digital"



The Commission's principal functions may be classified as:

- Advisory;
- Monitoring;
- Research/information-gathering;
- Administrative; and
- Legislative.

The prescribed **advisory** functions include the following areas of advice to the Minister:

- Whether or not a licence should be granted **S. 11E (1)**;
- The terms and conditions on which licences should be granted **S 16 (a) (i)**;
- Whether a licence should be suspended or cancelled for non-compliance with the Commission's directives following a contravention of the licence **S 22**; and
- The allocation of broadcast time to programmes of Jamaican origin, performed by Jamaicans or programmes significant to Jamaica **S 16 (a) (ii)**.

The **monitoring** powers and duties include:

- Monitoring the operations of licensees **S 16 (e)**;

- Receiving and investigating complaints in relation to any matter under the BRRRA **S 16 (f)**;
- Establishing a system of monitoring transmissions by licensees **S 16 (d)**;
- Requiring licensees to submit information relating to their programming and operations **S 17**;
- Giving licensees written notice (copied to the Minister) of any contravention of licence, and requiring justification of the offending act and/or remedial action **S 20 (1)**;
- Giving written notice to the Minister of any failure by a licensee to justify any offending act or take remedial action **S 20 (3)**;
- Directing a licensee to transmit an apology for any action in contravention of its licence **S 20 (3)**; and
- In relation to political broadcasts, ensuring rights of reply under certain circumstances, and in general ensuring impartiality in political broadcasts **S 21**.

The **information-gathering** duties include:

- Conducting surveys to ascertain whether matter transmitted or relayed by licensees is capable of being received in Jamaica **S 16 (b)**; and
- Undertaking, sponsoring or assisting in research on any type of operation regulated under the Act **S 16 (c)**.

The **administrative** functions relate to:

- Processing all licence applications under the Act to determine whether prescribed requirements are satisfied **S 11E**;
- Receiving application fees **S 11 F (2)**;
- Receiving licence fees **S 11 G (5)**;

- At the direction of the Minister, notifying licensees before licenses are suspended or cancelled that they have an opportunity to be heard by the Minister **S 22 (2)**; and
- Where a licence to provide STV service becomes void for non-performance, notifying the licensee and requiring the return of the licence **S 11G (7)**.

The Commission's **legislative** power is to recommend regulations under the **Act**, after consultation with the Minister. Approval is subject to a negative resolution in the House of Representatives.

## COMMISSIONERS

Commissioners are appointed by the Governor General after consultation with the Prime Minister and the Leader of the Opposition, pursuant to Section 1 of the Schedule to the **BRRA**. The appointments are for a period of five years.

The following persons served during the period under review:



**Professor Hopeton S. Dunn, JP, Ph.D., M.A., B.A. (Hons.), Dip. (Mass Comm.) Chairman**

Professor of Communications Policy and Digital Media, UWI, and Director, Telecommunications Policy and Management Programme, Mona School of Business, U.W.I.

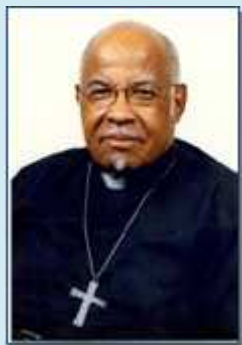
**Re-appointed November 1, 2006**



**Mrs. Rosemarie Vernon, C.D., M.Sc., B.A., Cert. Ed.**

Educator, Former Principal, Alpha Primary School, Former President of The Jamaica Teachers' Association

**Re-appointed November 1, 2006)**



**Rev. Canon Peter Mullings O.D., J.P., B.A. Th.**

Cleric, Rector Church of the Ascension

**Re-appointed November 1, 2006**



**Mr. Claude Robinson, O.D., B.J., B.A. (Hons.)**  
Journalist, Lecturer and Communications Consultant

**Re-appointed November 1, 2006**



**Mrs. Elaine Foster-Allen, M.Phil, B.ED**  
Educator, Principal – Shortwood Teachers' College

**Re-appointed November 1, 2006**



**Dr. Elaine Wallace, Ph.D., M.B.A.**  
Communications Specialist, Academic Administrator and Lecturer - UTECH

**Re-appointed November 1, 2006**



**Mrs. Hyacinth Lindsay, Q.C., C.D., LL.B., B.A.**  
Attorney at Law and Former Chief Parliamentary Counsel

**Appointed November 1, 2006**



**Mr. Neville James, B.A., Dip. Public Admin.**  
Communications Consultant

**Appointed: September 5, 2008**

## EXECUTIVE STAFF AND PRINCIPAL OFFICERS

The Commission is supported by a Secretariat, headed by the Executive Director, which has responsibility for its day to day operations. The executive staff members are:



**Mr. Cordel Green, M.B.A., LL.M (Dist.), LL.B (Hons.), B.A. (Hons.)**

Executive Director, Attorney-at-Law



**Mrs. Karlene Salmon-Johnson, M.Sc., B.A. (Hons.)**

Assistant Executive Director and Media Industry Specialist

There are also seven Principal Officers, namely:

<b>Miss Teisha Mattison</b> <b>LL.M;LL.B</b> Legal Officer	<b>Mr. Richard Myers, M.Sc., B.Sc. (Hons.)</b> Human Resource & Office Manager	<b>Mr. Donovan Campbell, M.Sc.</b> Technical Officer
<b>Ms. Juliet Anderson, MAAT, Fellow (ACCA),</b> Finance Officer	<b>Mrs. Michelle Jones-Francis</b> Monitoring and Customer Service Manager (Appointed March 10, 2008)	<b>Ms. Nicole R. Morrison, B.A.</b> Information & Public Relations Officer
<b>Mr. Dwaymian Brissette, B.A., M.A.</b> Registrar		

## STANDING COMMITTEES

Thematic oversight of the Commission's work is conducted through four Standing Committees (See Appendix A). The results of Committee deliberations are brought to the full Commission for discussion, revision, approval or ratification. The Standing Committees are:

- (a) Legislative and Policy
- (b) Monitoring, Content and Compliance
- (c) Finance and Administrative
- (d) Audit

## INTRODUCTION

The broadcast media landscape in Jamaica is one characterized by plurality and diversity in the number of players in the sector, and various forms of broadcasting, including public service commercial, and community media. It also involves an ever changing and dynamic environment embracing a number of important global trends, of which Convergence, Web 2.0 and the issue of Open Access are of particular interest. As with telecommunications, broadcast regulation is therefore changing and evolving to foster this new landscape.

In such a dynamic broadcast/media environment, the role of effective regulation becomes crucial. The BCJ has been delivering effective regulatory service to the sector and is on a path to re-creating itself to even more effectively deal with the new regulatory framework. Improved, leaner processes and systems, a capacity to communicate better with a wider audience of industry players, policy makers and consumers, and a more proactive, evidence based (research and development) regulatory practice, are all elements of the reform process in continuing to make the BCJ a model 21st century regulator in Jamaica and the region.

To that end, the Commission has identified and aligned itself with the best practices for electronic media regulation, including:

- ) Transparency and Accountability
- ) On-going Consultation
- ) Fairness and Inclusiveness
- ) Innovation in Policy and Technology
- ) Technology Neutrality
- ) Proactive and Flexible Management

Guided by these principles, the Commission is positive about the process of dynamic evolution which is underway in the electronic media sector. From changes in the technology, the delivery platforms and applications to the personalization and ubiquity of

media, there are no boundaries to the potential of the industry's growth and to the dynamism of media experience of users and citizens.

# OVERVIEW OF PERFORMANCE IN 2010 - 2011

## DEFINING THE COMMISSION'S STRATEGIC FRAMEWORK

Having identified the general media trends and broad principles which define the regulatory framework over the past year the BCJ focused on the following key strategic areas:

- Regulating new technologies and services
- Transitioning from analogue to digital television
- Content Regulation and Development
- Public Broadcasting and Indigenous Content
- Media Literacy
- Legislative and Regulatory Reform
- Consultation and Public Education
- Research and Development
- Human Resource Development
- Regional Policy Harmonisation in Broadcasting

## REGULATING NEW TECHNOLOGIES AND SERVICES

It is the duty of the Regulator to promote equity, fairness and competition to facilitate the development of the industry. However, in this new environment, a redefinition of industry to be regulated is imperative. The Electronic Media policy report recognises<sup>1</sup> that in addition to the traditional broadcast media players, regulation should cover distributors; internet broadcast providers; IPTV and mobile TV as well as electronic audio visual billboards. No doubt, this definition will change with time and new developments, but as the regulator, the BCJ has positioned itself to employ flexible and proactive regulatory leadership. During the period under review, the Commission was instrumental in finalizing the licensing

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<sup>1</sup> Jamaican Electronic Media Regulatory and Policy Framework Consultation, Final Report. The Nordicity Group.

arrangements for LIME's mobile TV service in Jamaica. Plans were also underway for treating with IPTV services.

These newer technologies and services will spawn new business models and give rise (as with the telecommunication sector) to significant opportunities for local and foreign investments. These bring to the fore issues related to ownership, mergers and acquisitions to which the BCJ will again have to play a significant role to ensure that the sector is able to attract the necessary investments (local and foreign) whilst protecting the industry and ultimately the consumers from negative outcomes which could arise. These could include the pervasiveness of foreign content at the expense of the growth of indigenous media content and culture and issues of concentrated ownership through mergers and acquisitions which impact on the overall competitiveness of the industry.

## DIGITAL SWITCHOVER

The issue of Digital transition continued to receive policy attention. It is an issue on which the BCJ provided leadership and ensured inclusiveness of all with respect to the guidance provided for critical decisions and programmes. Though switchover is proceeding at a rapid pace in Europe and other regions, the BCJ is concerned that the pace in Jamaica, although ahead of most Caribbean counter-parts, is slower than desirable. On the other hand, the Commission tempers impatience with the appreciation that throughout the process in Jamaica, the peculiarities and needs of the local sector must be adequately taken account of and that the process focuses not only on the technical transition, but economic, human resources and other implications. During the period of review, the most significant development was that the National Committee on Digital Switchover agreed to recommend the date of 2015 for the full transition.

The National Digital Switch-over Steering Committee is chaired by the Minister with responsibility for Information and Telecommunications. The co-chairs for the Committee are Professor Hopeton Dunn, Chairman of the Broadcasting Commission, Mr. Lester

Spaulding, Executive Chairman of RJR Communications Group and Mr. Wesley Anderson from the Subscriber Television sector. Other members of the Committee are drawn from entities within the main sectors to be affected by or involved with the switch-over.

## CONTENT REGULATION AND STANDARDS

The BCJ made strides in the areas of content regulation and the development of standards in the traditional media, particularly in regulating the quality of content on the airwaves. This included the extra-ordinary measure of directing that a radio broadcast licensee discontinue airing a programme which was considered unsuitable for broadcast. However, there is still a lot of work to be done regarding questionable content, lack of diversity and generally poor quality of aired content. Furthermore, there is the challenge of the new media, which is still emerging in Jamaica, where there is a proliferation of content, anywhere, any time and created by anyone and the concept of open data which is rapidly gaining popularity. These developments received much attention from the Commission in its ongoing deliberations on electronic media policy and various engagements with stakeholders.

On March 21, 2011 the Commission hosted a one-day seminar on “Payola and Anti-Piracy” which brought together experts and stakeholders from a variety of backgrounds who brought insights about the impact of these issues on the livelihood concerns of recording and performing artistes, radio announcers/VJs, and broadcasting and cable operations. They also discussed measures which could be implemented to prevent or mitigate those problems.

The practice of payola is of particular concern for the Commission because of a correlation between payola and the output on Jamaica’s airwaves. It is believed payola, in some measure, is responsible for the decline of Jamaican music to the extent that up to two years ago, before the Commission issued its February 2009 Directives, disc jockeys were heard on Jamaican airwaves actively trying to edit violent, sexually explicit and expletive laden

songs in an effort to sanitise them for airplay. The result was a cacophony of bleeps and beeps and very little of the original content.

The seminar also arose in response to the dearth of empirical evidence around the issues and a call from both the media and music industries for assistance. The deliberations formed part of the Commission's evidence-based approach and lent additional support to recommendation to the Jamaican government that payola be criminalised.

Piracy in the cable sector began to receive closer attention much earlier in the year when the Commission became aware that unscrupulous persons and criminal gangs were engaged in tampering with cable boxes of licensed providers and offering illegal cable services on a wide scale, hitherto unknown. The Commission's initial response was to alert the police and launch a series of public service announcements to educate and warn the public about this illicit activity. Those initiatives were buttressed by the seminar.

## **PUBLIC BROADCASTING AND INDIGENOUS CONTENT**

Even as there is the effort to promote a market based, competitive media environment, it is recognized that market deficiencies will occur, requiring the continued and concurrent provision of Public service and Community Broadcasting. The Broadcasting Commission recognizes that it has a role in ensuring that these non-commercial services are maintained. Apart from continuing its lobby for quick action on pending changes to the legislation, the Commission also promoted the idea of a Production Fund which would be used to support the development of local content, in keeping with the BCJ's mandate.

## **MEDIA LITERACY**

It has become increasingly obvious that the "digital divide" is not only about access to technology but also about the gap between those who know how to use and those who do not. With the convergence of broadcasting platforms and the emergence of smaller, mobile outlets and increased access to the internet, media regulation must continue to focus on

educating persons not only to gain access but also on how to use both new and traditional media. The role of the regulator in promoting media literacy is to assist the citizen in achieving digital literacy. The BCJ continued its collaboration with UNESCO and the Joint Board of Teacher Education to develop a programme on media/digital literacy. This programme aims to ensure that the average population can participate in this new convergent media culture, discern the impact of media on their lives and make informed judgements about their practices.

## LEGISLATIVE AND REGULATORY REFORM

In the Jamaican context, reform of the legislative and regulatory framework required to facilitate an independent, responsive, transparent and accountable BCJ is of the utmost importance. The Commission continued its call for a distinct separation of powers between policy makers and the regulator, with the latter having the necessary powers to enforce the regulations. In addition, the Commission continued its engagement with stakeholders on the wide-ranging recommendations, including for repeal of the Broadcasting and Radio Re-Diffusion Act and enactment of a modern electronic broadcasting law.



From left: Speaker of the House of Representatives, Delroy Chuck greets BCJ Chairman, Prof. Hopeton Dunn and Executive Director, Cordel Green before a meeting at Gordon House

The recommendations cover a modern definition of broadcasting, equitable regulatory fees for all players, recognition and support for indigenous programming content, broadcasting content standards, digital transition, media response to emergencies and disasters, and dispute resolution.

The Broadcasting Commission has also recommended the criminalisation of the practice of pay-for-play, more commonly known as payola. This practice is of particular concern for the

Commission because of a correlation between payola and the output on Jamaica's airwaves.

A raft of other proposed counter-measures related to the management of airplay within broadcasting stations have also been developed. These measures include: mandatory playlists for broadcasters, a requirement that radio stations be required to have a programmes manager whose responsibilities would include the approval of playlists prior to transmission and the management of all music played on air through a central music library. It has also been recommended that there be a standardisation of music charts, the mechanics of which are transparent and available for review upon request by the regulator.

These changes in law are expected to result in direct and serious management of content by broadcast licensees.

## CONSULTATIONS AND PUBLIC EDUCATION



Patrons visit the Broadcasting Commission booth at the Civil Service Association Exposition

of the Senate and Speaker of the House.

Fifteen (15) island wide stakeholder meetings were held during the year, one in each parish and an additional one in the municipality of Portmore. The purpose of these meetings was to update the public on significant

The period under review saw an intense and wide-ranging engagement of stakeholders. Citizens from all walks of life and sectors dialogued with the Commission. This included the President



A representative from the UTECH Student Union shares her view at the BCJ Stakeholders' Meeting held in Kingston

initiatives including: broadcast content standards, digital television switchover, upcoming legislative changes for the industry and to garner feedback on public perception of the Commission's work.

## Media Campaign

The Commission launched a very successful media campaign centred on the theme, ***“Choice comes with responsibility”***. This included features in the print media, television and radio advertising, video-board advertising islandwide, a social media campaign on Youtube, Twitter, and Facebook, media interviews, public speaking engagements, town meetings and expositions.

## Youth Newspaper Feature

The Commission continued in its thrust to engage the youth with two new newspaper features: ***“The BC 2.0”*** targeting high school and college students and the ***“The Junior Commissioners”*** for preparatory and primary schools.



The ***“The BC 2.0”*** and ***“The Junior Commissioners”*** are youth fora created to

infuse the energy, creativity, views and ideas of young people into the work of the Broadcasting Commission. ***“The BC 2.0”*** was published monthly in the Youth Magazines of both national daily newspapers and explored issues such as digital switchover, regulating the electronic media, media monitoring and the Children's Code for Programming.

## Child Month Video Competition

In celebration of Child Month, the Commission launched the “Choice comes with responsibility” Video Competition. Young people between the ages of 11 and 17 years old submitted 30 second videos on the theme, “Choice comes with responsibility”.



***“Choice comes with responsibility”*** Video Competition winner, 16 year old, Lutchshane Blackwood.

16 year old, Lutchshane Blackwood, a student of St. Elizabeth Technical High School, emerged the winner. He was awarded a prize of Fifty Thousand Dollars (\$50,000). His video is featured on the BCJ Website, YouTube page and Facebook page.

## Citizen-based Media Monitoring



Citizen-based Media Monitors' Training – St. James

The Citizen-based Media Monitoring Programme, initiated in February 2009, continued its growth in 2010/2011 with the total number of trained volunteers standing at **Two hundred and fifteen (215)**. During the period under review, recruitment and training of volunteers was done in St. James and Manchester.

## Research and Development

The BCJ began its engagement with relevant partners for building its research capacity and regional and global linkages to take advantage of existing research opportunities. Approval was sought for the engagement of an internal economist and researcher, and preliminary work began for MOUs with the Caribbean Research Network. RFPs were also issued for research projects with universities and other institutions. The research areas include audience needs, media output, and viability of the electronic communications sector.



## FACILITIES, RISK MANAGEMENT & HUMAN RESOURCES MANAGEMENT

The BCJ continued the implementation of plans to streamline its operations. This included upgraded financial and accounting systems as well as re-engineered business processes and systems for licensing and monitoring of licensees.

### Facilities and Risk Management

To maximize on available space and improve efficiency through a more streamlined floor plan, the Technical Department was relocated. The relocation provided a dedicated server-room in close proximity to the office of the Systems Administrator/Webmaster.

The Commission continued its thrust to operate in an environmentally friendly manner by reducing use of paper. Its greening initiative includes the use of laptop computers by commissioners in meetings and the use of digital tape recordings.

Desktop computers were replaced in accordance with the Commission's policy on obsolescence. Quarterly Operational Efficiency reports were used to record the frequency of malfunctioning office equipment, repairs, replacements and servicing.

Logbooks were consistently used to record the mileage of Commission vehicles and fortnightly reports from Manufacturers Credit & Info. Systems (MCIS) used to reconcile fuel uptake. Vehicles were serviced based on mileage or time, in accordance with respective maintenance schedules.

An electronic swipe card system restricted unauthorized entry to the office, and recorded dates and times of entrance of all staff via programmed cards.

Office equipment and furniture were insured with the Insurance Company of the West Indies, with the “all-risk” premiums paid-up for the period. In accordance with procurement rules, the Ministry of Finance and the Public Service provided directives regarding the renewal of insurance tender, which is now scheduled for the third quarter of 2011.

During the period, CGM Gallagher Insurance Company assumed control of Zenith Insurance Brokers and provided brokerage services for the Commission’s fleet of vehicles (2009 Honda motorcycle; 2009 Landcruiser Prado; 1999 Mitsubishi L300).

## **Procurement**

A standing procurement committee provided oversight of procurement activities. Regular reports to the Office of the Contractor General (OCG) were submitted in accordance with government policy. During the period of review, the Commission’s standing with the OCG was at the level of an ‘A-rating’. During the period, the Commission disposed of a 2003 Loncin delivery motorcycle and a 1997 Toyota Corolla in accordance with guidelines from the Ministry of Finance and the Public Service. Those vehicles had become uneconomical to maintain, due to age.

## **Information Management**

The Commission’s information management is guided by the recommendations of ISO 15489:1 on Records Management Best Practices and Procedures. In that regard, continuing improvements have been made



in operating the Commission's documentation centre, viz.:

- ❖ Acquisition of specialized journals and publications;
- ❖ Linking the centre to a page on the Commission's website;
- ❖ Revision of Records Management Policies & Procedures Manual; and
- ❖ Membership in the International Records and Information Management Association (**ARMA**), Library and Information of Association (**LIAJA**), the Socioeconomic Information Network (**SECIN**), and Records and Archives Management Network (**ARMN**)..

### Access to Information

The Commission did not receive any requests under the **Access to Information Act** during the year.

### Interdisciplinary Transformation Team (IDTT)

A standing IDTT committee consisting of a categorical cross-section of employees considered implications of the Public Sector Modernisation initiative and submitted reports to the Public Sector Transformation Unit (PSTU), as required.

### Training and Development

The Technical Department benefitted from a three (3) day in-house training programme by the manufacturers of the Trilithic test equipment.

The Senior Technician and the Monitoring and Customer Service



Training group led by Applications Engineer from Trilithic Inc. in USA, Tony Holmes (2<sup>nd</sup> left).

Department were trained in Database Management.

The Executive Director and Assistant Director participated in the UNESCO Working Group on Media Statistics, in Paris, and the Digital Switchover & Communication Policy Conference, in Korea, respectively. All expenses were covered by the sponsoring organisations.

The Commission's Legal Officer and Monitoring & Customer Service Manager benefitted from an Alternative Disputes Resolution seminar and a Commonwealth Broadcasting Association's distance learning course, online.

Staff members also attended several other seminars, workshops, and short courses designed to improve skills. These included QuickBooks Financial Software, Crystal Reports, Designing and Writing Queries –SQL, Introduction to GOJ Procurement, Microsoft Excel, Budgeting for H.R., Project Management, Report Writing and Presentation, Business Communication, and the RO Communications Corporate Communicators Conference hosted by the Public Relations Society of Jamaica.

### **Performance Assessment**

The Commission continued to evaluate employee performance using annual performance assessments and informal interim evaluations, in accordance with the GOJ performance management and appraisal system (PMAS). The average performance rating was 83.6%.

### **Relationship Building**

The Commission continued to spearhead cross agency collaboration through an Inter-Regulators Forum. Members of the forum were afforded the opportunity to engage with Caribbean counter-parts at a special regulators caucus which was organised by the Broadcasting Commission in July 2010.



Internally, the human resources development plan for the period included team building which was enhanced by an Employee -of-the-Year award to a peer-nominated staff member in December 2010. In January 2011 the Commission's staff participated in a team-building exercise, and during the operational year presentations were made to staff on various human resource development issues. These included an educational session with Sagikor on GEASO health plan, team dynamics sessions, conflict management workshops, workshop with the Heart Foundation of Jamaica and sessions on pension planning, health and well-being, and money management. There were also regular staff meetings

## **REGIONAL POLICY HARMONIZATION IN BROADCASTING**

Several of the significant regulatory issues with which the Commission is contending also affect Caribbean counter-parts and could benefit from a common, harmonised or co-ordinated regional approach. These include Digital Switchover and the attendant spectrum issues, and regulation of new platforms and services.

In July 2010 the Broadcasting Commission took the initiative to bring together regulators and other industry stakeholders from across the region to examine the challenges and opportunities posed by the transition from analogue to digital. This regional meeting was held on on July 5-6, 2010 under the theme “ Regional Forum on Policy and Regulation in the Electronic Media Sector”.

The forum had a wide cross-section of distinguished participants representing local and regional media organisations, academia, regulators in the communications sector and other interest groups. There were fifty eight (58) participants, drawn from Trinidad and Tobago, Belize, Suriname, Jamaica, Barbados, St. Lucia, Turks and Caicos, Chile, the United States and Canada.

The programme covered the following topics:-

1. Media Policy for the Digital Age

2. The Digital Communications Market – The Challenges and Opportunities
3. Broadband and Digital Futures
4. Media Content Standards and
5. Regional Harmonization: Digital Switch-over and the Regionalization of Regulation.

## OPERATIONAL PLAN 2010/2011

### PERFORMANCE INDICATORS AND TARGETS

The planned programmes/major tasks, achievements and constraints are set out in the following table.

#### Objective: Authoritative evidence based regulator

PLANNED PROGRAMMES		STAGE OF COMPLETION 4TH QTR	NARRATIVE
1	Licensing of IPPs	N/A	) This objective is pending changes to the TSBR
2	Relicensing of STVOs	100%	
3	Redesign of Licensee inspection system	100%	) Redesign of licensee inspection system submitted to and approved by Commission.
4	Design of Licensee Case Management System	100%	) Licensee Case Management system submitted to and approved by MCCC.
5	Seminar programme for licensees	100%	) Financial management seminars, conducted in collaboration with Jamaica Business Development Centre. ) Payola & Anti-Piracy Seminar conducted with participants from broadcast, cable, music and security industries, academia, copyright sector, legal fraternity and others-drawn from Jamaica, USA and a global online community.

	PLANNED PROGRAMMES	STAGE OF COMPLETION 4TH QTR	NARRATIVE
6	Finalize time-line for transition to Digital	80%	<ul style="list-style-type: none"> <li>) DSO focus at Regional Forum in Q2</li> <li>) DSO Steering Committee meeting held in Q3.</li> <li>) Proposal for funding DSO study, submitted to CIDA.</li> <li>) RFP for Switchover Study re-scoped.</li> <li>) Participation in regional/CARICOM ICT 4D Consultation.</li> <li>) Participation in regional/CARICOM expert group consultation by Office of Trade Negotiation (OTN) - CARICOM/Canada Free Trade Agreement: DSO flagged for action.</li> </ul>
7	Citizens based Monitoring System Incentive Programme	80%	<ul style="list-style-type: none"> <li>) Programme expanded to 215 trained volunteers.</li> <li>) Incentive programme developed and proposals submitted to Commission</li> </ul>

	PLANNED PROGRAMMES	STAGE OF COMPLETION 4TH QTR	NARRATIVE
8	Develop acquisition plan for comprehensive automated content monitoring system	100%	) Research completed and acquisition plan approved.
9	Public Education Programme	100%	) Public/stakeholder meetings completed in all parishes; ) Completion of second round consultations on Electronic Media Policy. ) Anti-piracy and “Choice Comes with responsibility” media campaign. ) Several presentations at local fora; radio and TV appearances; newspaper articles, web publications and journal articles (e.g. NEX Generation and Commonwealth Broadcaster). ) Publications of “BC 2.0” in Youth Observer and “Junior Commissioners” in the Children’s Own. ) Schools outreach - UWI and Knox College expos. ) BCJ Youth Video Competition ) BCJ website enhanced, including permanent streaming portal.

**Objective: To be a responsive innovative regulator**

	PLANNED PROGRAMMES	STAGE OF COMPLETION 4TH QTR	NARRATIVE
1	Complete Research MOU with Caribbean ICT Research Network	100%	) MOU signed
2	Regional Forum	100%	) Regional Forum on Policy and Regulation in the Electronic Media Sector held, with support from the Communications Research Centre, Canada (CRC) ) Attendees from Suriname, Cayman, Trinidad, Belize, Canada, USA, Chile, Antigua, Jamaica, St. Lucia, Barbados, and Turks & Caicos
3	BCJ Research Programme	80%	) Secondary research completed on <ul style="list-style-type: none"> <li>✓ IPTV and Mobile TV Regulation</li> <li>✓ Global practice on the treatment of high value content.</li> </ul> ) RFP issued, proposals evaluated and researcher recommended for conducting audience needs analysis and research on Media Output

	PLANNED PROGRAMMES	STAGE OF COMPLETION 4TH QTR	NARRATIVE
4	Media Literacy Project	100%	<ul style="list-style-type: none"> <li>) UNESCO funding obtained in the sum of US \$15,000.</li> <li>) MOU 2 executed with Joint Board of Teacher Education (JBTE).</li> <li>) Media literacy curricula completed for students and teachers at grades 1-3, and 7-9.</li> <li>) Media training curriculum for 150 grade 7-9 students completed.</li> <li>) Scripting of three 12-minute videos completed.</li> <li>) Terms of Reference for Mentorship Programme completed.</li> <li>) Final report on Phase 2 completed and submitted UNESCO.</li> <li>) Funding proposal inclusive of implementation plan for phase 3 completed and submitted to UNESCO.</li> <li>) MOU 3 prepared and under review by JBTE.</li> </ul>

	PLANNED PROGRAMMES	STAGE OF COMPLETION 4TH QTR	NARRATIVE
<b>5</b>	To develop media policy through research and legislative review	95%	<ul style="list-style-type: none"> <li>) Media Policy research completed and final report submitted to Minister.</li> <li>) Additional public Consultations on Media Policy Report undertaken.</li> <li>) Responses to Ministry on Drafting Instructions for amendments to BRRA and TSBR, completed.</li> </ul>
<b>6</b>	Inter-regulators platform for information sharing	80%	<ul style="list-style-type: none"> <li>) Links on BCJ website to Caribbean region regulators, Ministries responsible for information and communications, and other related bodies.</li> <li>) BCJ component of information platform (comprehensive database) finalised with guidance from CITO.</li> </ul>
<b>7</b>	To create a funding mechanism to support local and public broadcasting content	100%	<ul style="list-style-type: none"> <li>) BCJ component completed : recommendations made to government on creation of the fund and for drafting instruction to amend the BRRA to empower the BCJ to establish Fund.</li> </ul>

**Objective: To build internal capacity**

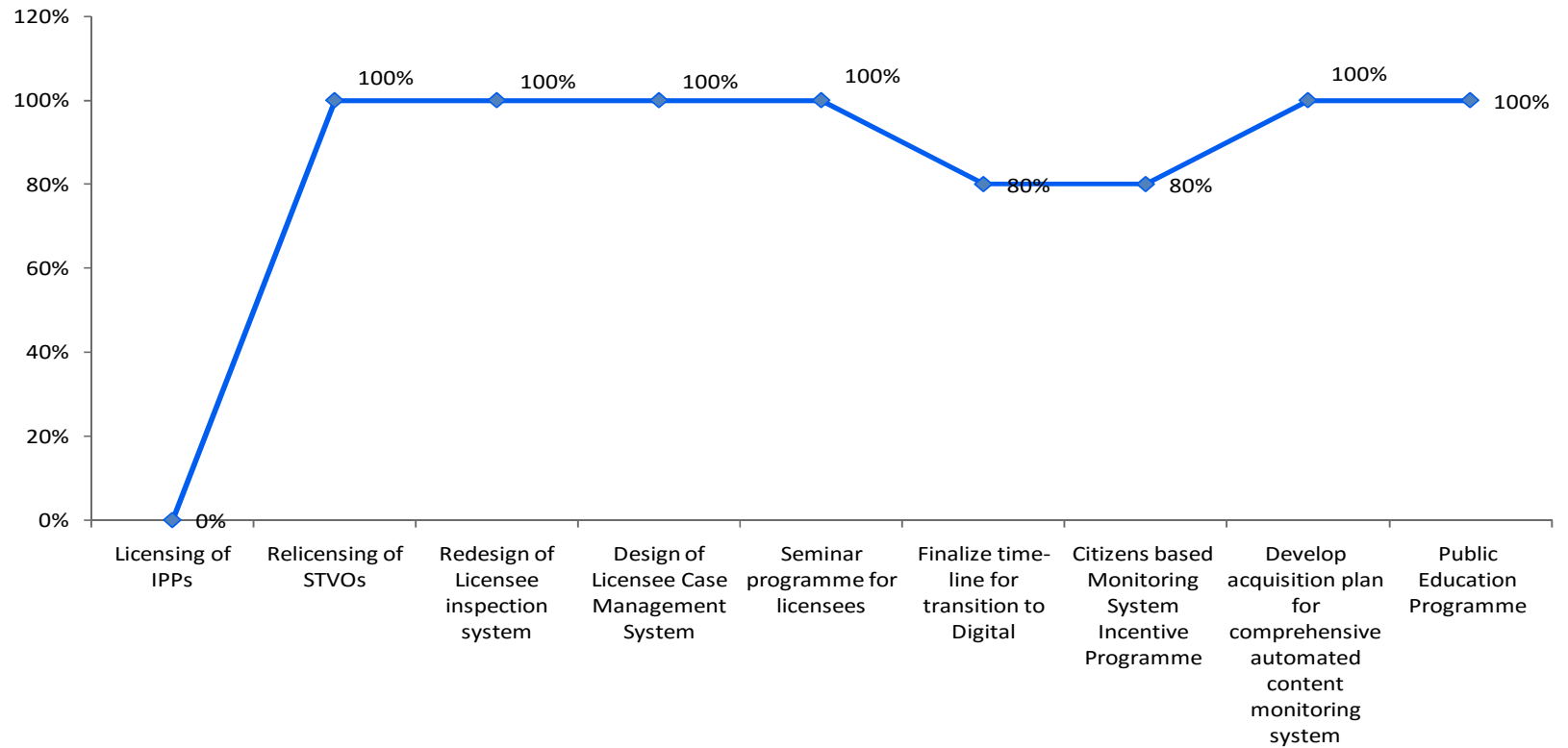
	PLANNED PROGRAMMES	STAGE OF COMPLETION 4TH QTR	NARRATIVE
<b>1</b>	To acquire an integrated/ comprehensive data base system	80%	<ul style="list-style-type: none"> <li>) Further research on systems completed</li> <li>) TOR for integrated/ comprehensive data base system completed and put to tender</li> </ul>
<b>2</b>	To create a Resource Centre	90%	<ul style="list-style-type: none"> <li>) 100 % of BCJ's vital records digitized.</li> <li>) RFP issued and evaluations completed for remote storage</li> </ul>
<b>3</b>	To improve human resource capacity	90%	<ul style="list-style-type: none"> <li>) Recommendations for changes to the establishment/Business Process Review submitted for Cabinet Office approval.</li> <li>) MOFP approval obtained for temporary recruitment of Systems Administrator, Economist and Internal Auditing services.</li> <li>) Specialised training on : <ul style="list-style-type: none"> <li>1. Accounting software.</li> <li>2. Database management for monitoring and compliance.</li> <li>3. Technical (test) equipment.</li> </ul> </li> <li>) Team Motivation programme developed and conducted.</li> </ul>

	PLANNED PROGRAMMES	STAGE OF COMPLETION 4TH QTR	NARRATIVE
<b>4</b>	To improve financial management and accountability	80%	) TOR for integrated/ comprehensive data base system completed.
<b>5</b>	Improve internal financial management	100%	) New accounting software acquired.  ) Operational efficiency reporting implemented.

# BCJ OPERATIONAL PLAN 2010-11

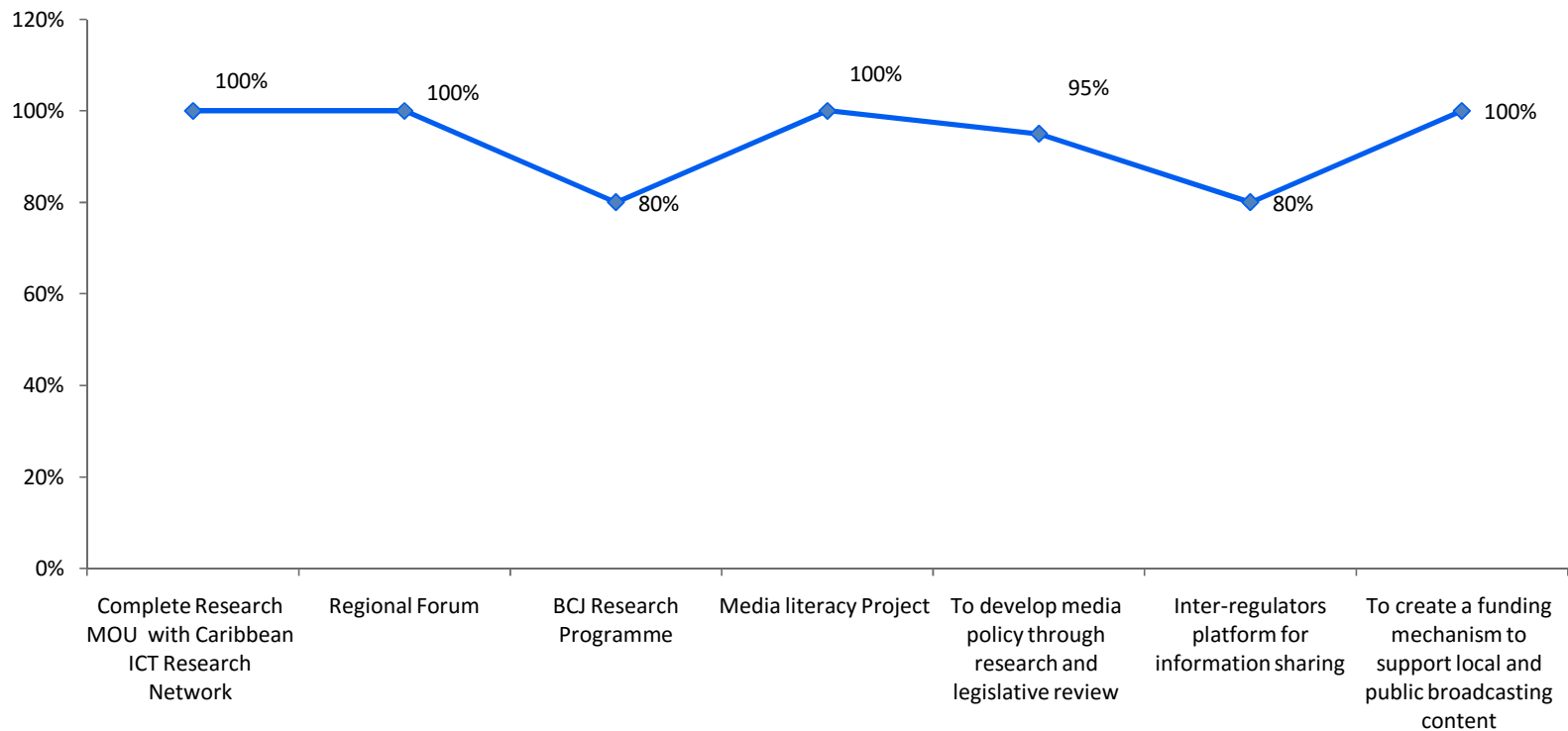
## Strategic Objective #1: To be an Authoritative Evidence-Based Regulator

84% COMPLETE



## BCJ OPERATIONAL PLAN 2010-11

### Strategic Objective #2: To be a Responsive, Innovative Regulator 94% COMPLETE

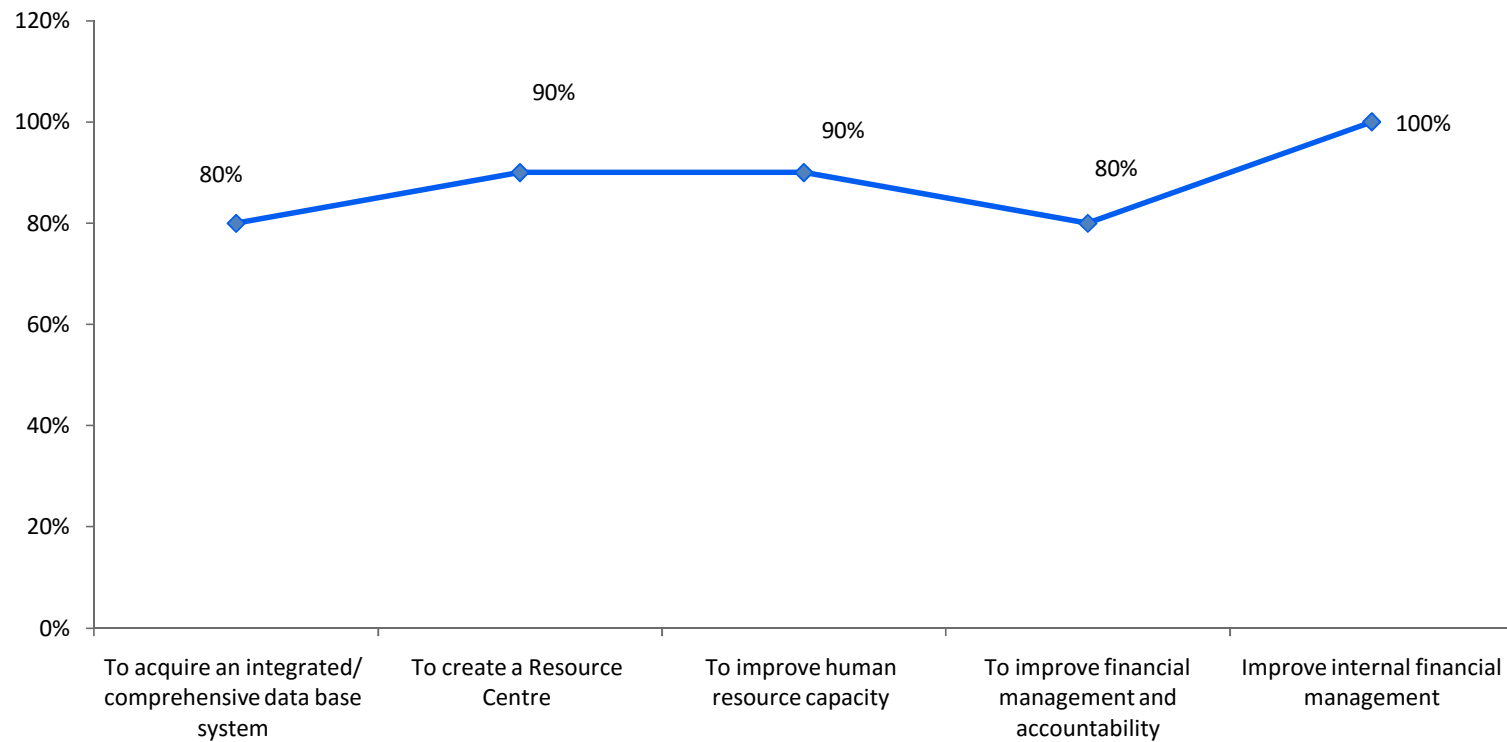


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ANNUAL REPORT APRIL 2010 TO MARCH 2011

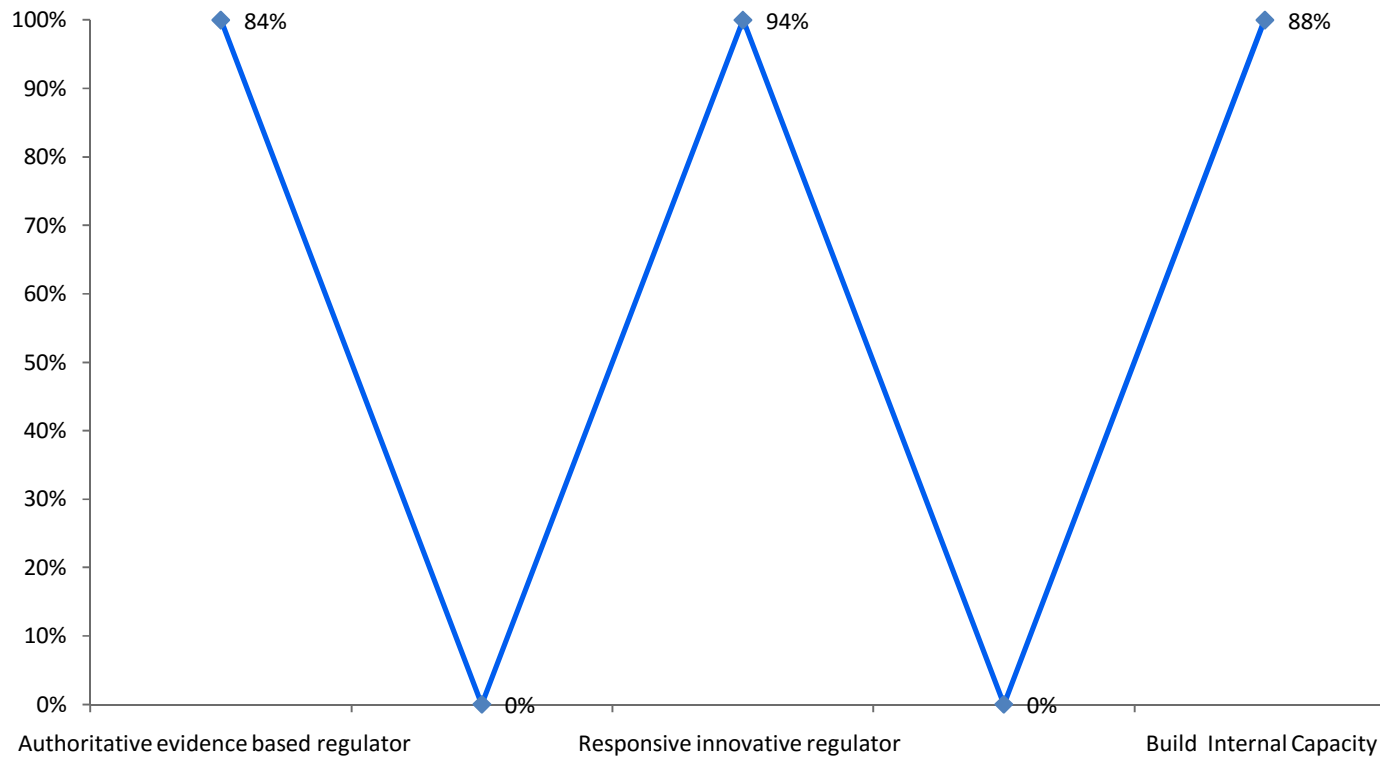
## BCJ OPERATIONAL PLAN 2010-11

### Strategic Objective #3: To build internal capacity (human, technical, technological) 88% COMPLETE



## BCJ OPERATIONAL PLAN 2010-11

### Summary of Strategic Objectives AVG. OVERALL COMPLETION: 89%



+

## **+ DETAILS OF REGULAR, KEY OPERATIONAL ACTIVITIES**

### **MONITORING, COMPLIANCE AND CUSTOMER SERVICE**

#### **Contacts with the Commission**

Seven hundred and eighty-nine (789) contacts were recorded for the period under review. This was a two percent (2%) increase over the previous year. The contacts resulted in seventy-one (71) investigations and the issuing of thirty-five (35) Notices of Breach.

**Table 1 - Total Contacts recorded**

APRIL '10 - JUNE '10	224
JULY '10 - SEPTEMBER '10	231
OCTOBER '10 - DECEMBER '10	192
JANUARY '11 - MARCH '11	146
<b>TOTAL</b>	<b>793</b>

**Table 2** provides further details on the nature of contacts with the public.

**Table 2: BREAKDOWN OF CONTACTS**

	Apr- June 2010	Jul- Sept 2010-	Oct- Dec 2010	Jan- Mar 2011	TOTAL
Information Requested:	160	159	137	85	541
Complaints received	8	22	13	28	71
Flow Sports package on intl. channel		16			16
Inability to watch world cup football on ESPN	7				7
Zoning Information	30	22	16	20	88
Airing of song "Blood Clot" performed by Lloyd Lovindeer	3				3
Flow on Demand			6		6
Procedure for acquiring Broadcast licence		7			7
Ragashanti Live programme	8	3	20	3	34
Interference with BBC frequency		2			2
Regulation of IPPS	2				2
Airing of song 'Hold You" performed by Gypitan	4				4
HIV awareness advertising campaign				3	3
Commendation for BCJ Directive for removal of Ragashanti Live programme from current daytime slot				7	7
Comments made on the 'Perkins on Line' programme	2				2
<b>TOTAL</b>	<b>224</b>	<b>231</b>	<b>192</b>	<b>146</b>	<b>793</b>

## Complaints Received

**Section 16 (f) of The Broadcasting and Radio Re-Diffusion Act** requires the Commission to “*receive and investigate complaints in relation to any matter under the Act*”.

During the period under review, the Commission received seventy-one (71) complaints. This was an increase of three percent (3%) when compared to the previous period. **Table 3** is a breakdown of the complaints on a quarterly basis.

**Table 3 - QUARTERLY BREAKDOWN OF COMPLAINTS RECEIVED**

<b>APRIL '10 - JUNE '10</b>	<b>8</b>
<b>JULY '10 - SEPTEMBER '10</b>	<b>22</b>
<b>OCTOBER '10 - DECEMBER '10</b>	<b>13</b>
<b>JANUARY '11 - MARCH '11</b>	<b>28</b>
<b>TOTAL</b>	<b>71</b>

**Table 4: COMPLAINTS RECEIVED APRIL 2010- MARCH 2011**

	<b>Apr-Jun 2010</b>	<b>Jul-Sep 2010</b>	<b>Oct-Dec 2010</b>	<b>Jan-Mar 2011</b>	<b>TOTAL</b>	<b>(%)</b>
<b>Subscriber Television</b>						
▪ Technical	3	4	1	1	<b>9</b>	<b>13%</b>
▪ Customer Service	0	3			<b>3</b>	<b>4%</b>
▪ Content Standards	0	0	0	0	<b>0</b>	<b>0%</b>
▪ Unlicensed Service						
<b>Broadcast Television</b>						
▪ Technical	0	0	0	0	<b>0</b>	<b>0%</b>
▪ Content Standard	2	3	2	4	<b>11</b>	<b>15%</b>
▪ Customer Service						
<b>Broadcast Radio</b>						
▪ Content Standards	3	12	10	23	<b>48</b>	<b>68%</b>
▪ Technical						
<b>Total</b>	<b>8</b>	<b>22</b>	<b>13</b>	<b>28</b>	<b>71</b>	<b>100%</b>
<b>Percentage (%)</b>	<b>12%</b>	<b>31%</b>	<b>18%</b>	<b>39%</b>		<b>100%</b>

## Complaints Investigated

The Commission investigated one hundred and sixteen (116) complaints. Seventy-one (71) of those arose during the period under review and forty-five (45) were carried over from the previous year. The total number of complaints investigated was a twelve percent (12%) increase over the previous period.

**Table 5** is a breakdown of the complaints investigated on a quarterly basis

**Table 5: COMPLAINTS INVESTIGATED FOR THE PERIOD APRIL 2010-MARCH 2011**

Complaints Investigated for the period April 2010- March 2011

APRIL '10 - JUNE '10	18
JULY '10 - SEPTEMBER '10	40
OCTOBER '10 - DECEMBER '10	17
JANUARY '11 - MARCH '11	41
<b>TOTAL</b>	<b>116</b>

**Table 6 is a breakdown of** all complaints investigated, including those brought forward from the previous period.

**Table 6: TOTAL COMPLAINTS INVESTIGATED  
APRIL 2010 - MARCH 2011**

	Complaints Brought forward From April 2009- March 2010	Complaints Received April 2010-March 2011	Total
<b>Subscriber Television</b>	11	12	<b>23</b>
<b>Broadcast Television</b>	9	11	<b>20</b>
<b>Broadcast Radio</b>	25	48	<b>73</b>
<b>TOTAL</b>	<b>45</b>	<b>71</b>	<b>116</b>

Tables 7 to 10 detail the complaints on a quarterly basis:

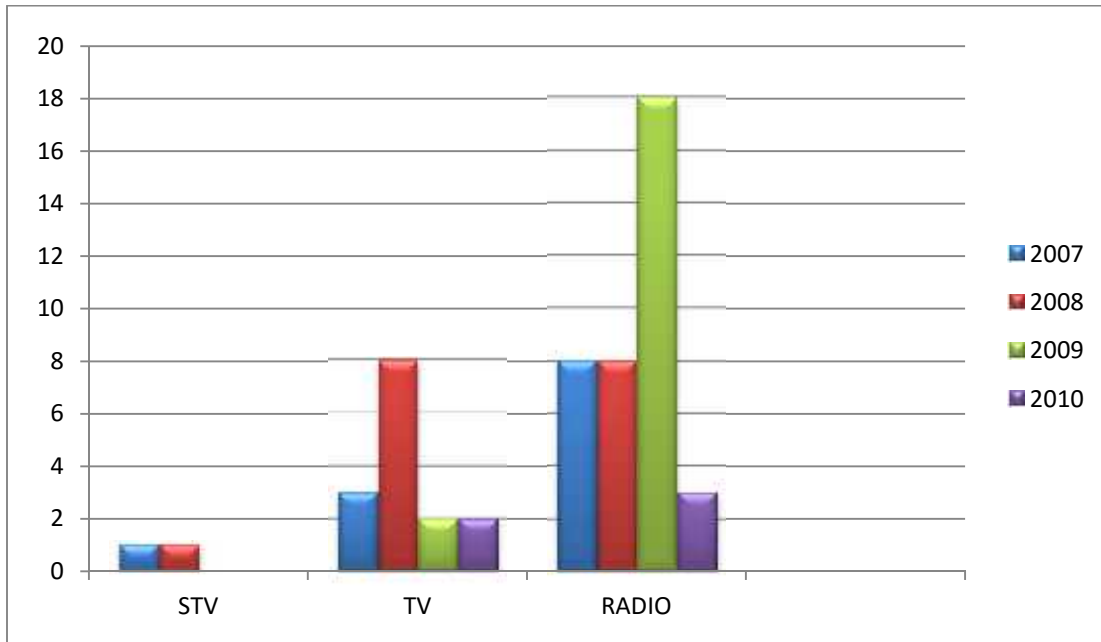
**Table 7: CONTENT STANDARDS COMPLAINTS: APRIL- JUNE 2010**

	Alleged transmission of material promoting use of illegal drugs (insufficient info. To proceed with investigation)	Sexually suggestive language/lyrics	Alleged Use of editing techniques	Alleged transmission of material with inappropriate language	Alleged transmission of material containing expletive	Alleged transmission of adult themed programme before watershed	Alleged transmission of material in breach of scheduling requirements	TOTAL
CVM Television Ltd					1			1
Radio Jamaica Limited- <i>Fame 95 FM</i>							2	2
Television Jamaica				1				1
NewsTalk 93 FM						1		1
<b>TOTAL</b>				1	1	1	2	5*

The Commission received five (5) complaints relating to the transmission of problematic content. This represented a reduction of forty-four percent (44%) when compared to the previous quarter, January-March 2010

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

**Figure 1: CONTENT STANDARD COMPLAINTS TRENDS FOR  
QUARTER APRIL- JUNE 2007 TO APRIL- JUNE 2010**



	2007	2008	2009	2010
STV	1	1	0	0
TV	3	8	2	2
RADIO	8	8	18	3

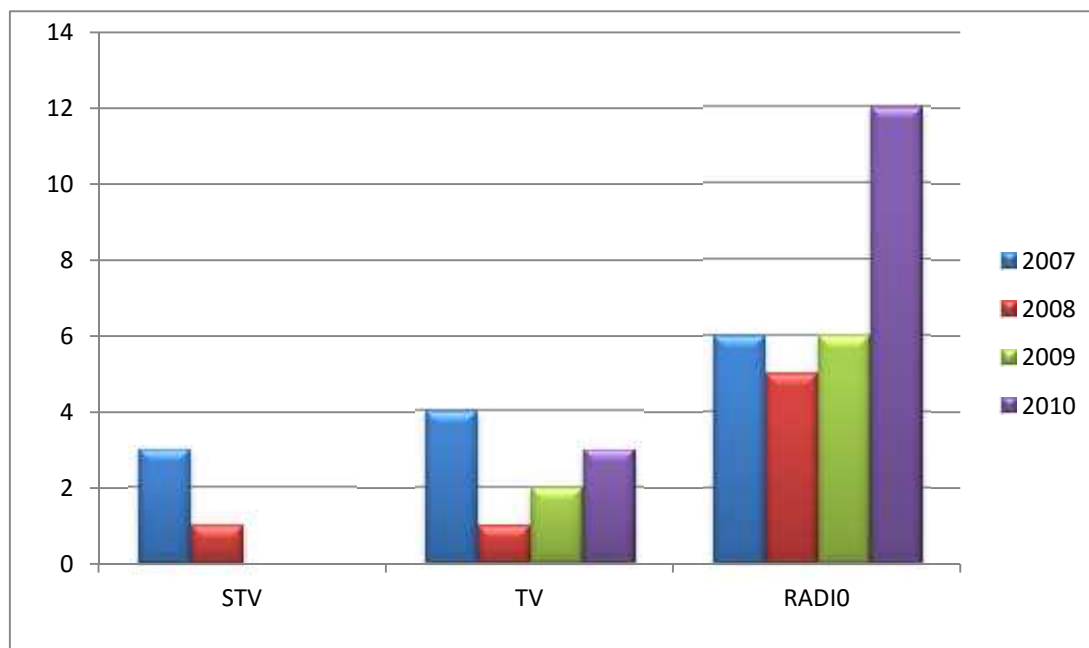
**Table 8**  
**Content Standards Complaints: July - September 2010**

	Inappropriate content	Sexually suggestive language/lyrics	Use of editing techniques	Scandalous remarks by host	Alleged false & misleading news	Profane Language	Alleged breach of broadcast standards	TOTAL
Grove Broadcasting Company Ltd (Zip 103 FM)				1		1		2
CVM Television Ltd	2							2
Radio Jamaica Limited (FAME 95 FM)		5	1					6
Nationwide Radio 90 FM		1						1
Television Jamaica Limited							1	1
Radio Jamaica Limited ( RJR 94 FM))		2						2
Universal Media Company Ltd (NewsTalk 93 FM)								1
<b>TOTAL</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>1</b>		<b>1</b>	<b>1</b>	<b>15*</b>

The Commission received fifteen (15) complaints pertaining to the broadcast of problematic content. This represented an increase of two hundred percent (200%) when compared to the period April - June 2010

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

**Figure 2: CONTENT STANDARDS COMPLAINTS TRENDS FOR  
QUARTERS JULY – SEPTEMBER 2007 TO JULY –  
SEPTEMBER 2010**



	2007	2008	2009	2010
STV	3	1	0	0
TV	4	1	2	3
RADIO	6	5	6	13

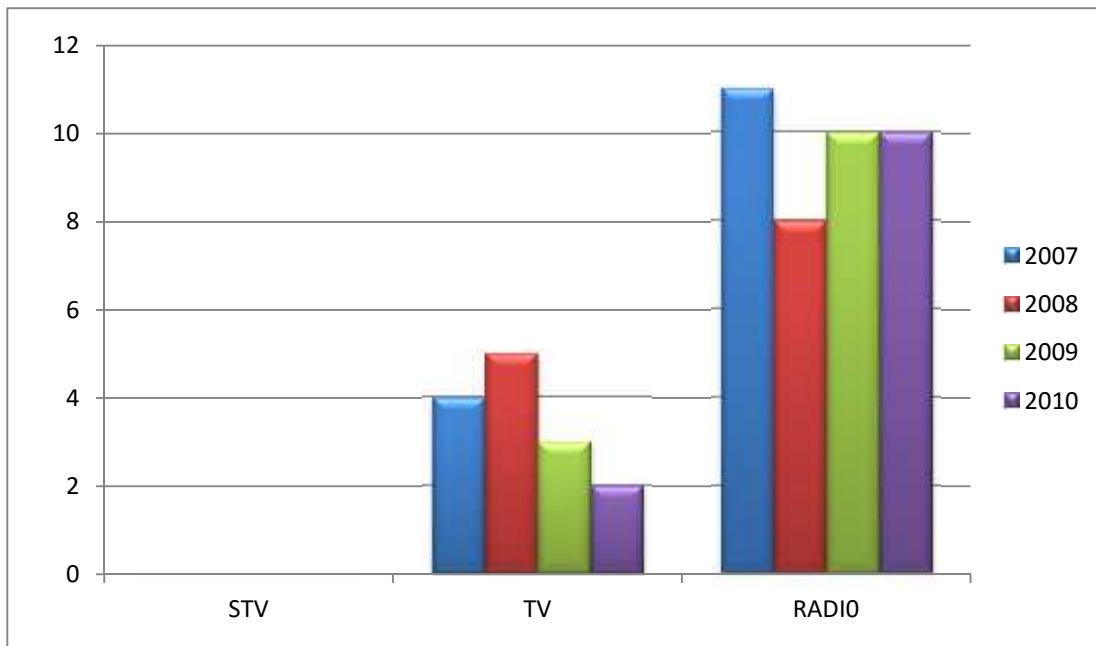
**Table 9: CONTENT STANDARDS COMPLAINTS INVESTIGATED:  
OCTOBER - DECEMBER 2010**

	Transmission of content containing mildly offensive language	Transmission of expletive during OB	Transmission of song promoting violence	Transmission of material containing profane language	Transmission of sexually explicit content	TOTAL
CVM Television Ltd	1					1
Radio Jamaica Limited (FAME 95 FM)				1	2	3
Nationwide News Network	1	1		2	1	5
Television Jamaica Limited	1					1
Hitz 92 FM	1					1
Grove Broadcasting Company (IRIE FM)			1			1
TOTAL	4	1	1	3	3	12*

The Commission investigated twelve (12) complaints about the broadcast of problematic content. This represented a reduction of twenty- percent (20%) when compared to the period July – September 2010.

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

**Figure 3: CONTENT STANDARD REPORT TRENDS FOR QUARTERS  
OCTOBER- DECEMBER 2007 TO OCTOBER –DECEMBER  
2010**



	2007	2008	2009	2010
STV	0	0	0	0
TV	4	5	3	2
RADIO	11	8	10	10

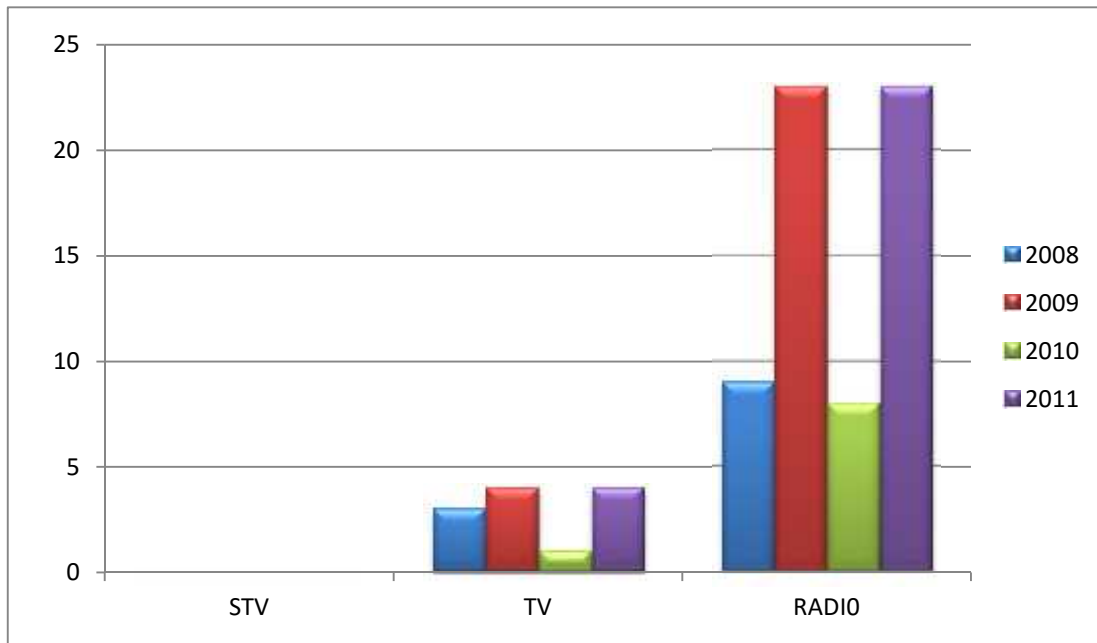
**Table 10: CONTENT STANDARDS COMPLAINTS INVESTIGATED:  
JANUARY - MARCH 2011**

	Transmission of content containing a racial slur	Transmission of song containing graphic language	Transmission of expletive during movie	Transmission of violent lyrics/content	Transmission of sexually suggestive lyrics	Transmission of material containing profane language	Transmission of scandalous and derogatory remarks	TOTAL
<b>CVM Television Ltd</b>			1	2				3
<b>Radio Jamaica Limited- (FAME 95 FM)</b>		1			5			6
<b>Nationwide News Network</b>						1	1	2
<b>RJR 94 FM</b>						1		1
<b>Television Jamaica Limited</b>						1		1
<b>Hot 102 FM</b>					2			2
<b>Newstalk 93 FM</b>							1	1
<b>Grove Broadcasting Company (ZIP 103 FM)</b>	1	2		2	4	1		10
<b>Grove Broadcasting Company (IRIE FM)</b>						1		1
<b>TOTAL</b>	1	3	1	4	11	5	2	27*

The Commission investigated twenty-seven (27) complaints about the broadcast of problematic content. This represented an increase of one hundred and twenty-five percent (125%) when compared to the period October to December 2010.

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

**Figure 4: CONTENT STANDARDS COMPLAINTS TRENDS FOR THE QUARTERS JANUARY- MARCH 2008 TO JANUARY – MARCH 2011**



	2008	2009	2010	2011
STV	0	0	0	0
TV	3	4	1	4
RADIO	9	23	8	23

## TECHNICAL COMPLIANCE

### TECHNICAL MONITORING

The facilities of eighteen (18) subscriber television operators were inspected to determine their compliance with the technical standards set out in law.

**Tables 11-13** list the subscriber television licensees inspected and the areas of technical non-compliance found.

**Table 11: TECHNICAL MONITORING: JULY- SEPTEMBER. 2010**

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Tru-Star Cable Television	<b>Regulations: 17 (4) (e), System not addressable</b>	Breach letter sent 3/12/10
2.	Cabletron Network System Limited	<b>Regulations: 25 (1), , 17(1) (h),</b>	Breach letter sent 9/9/10.
3.	Unique Vision Cable Company Ltd	<b>Regulations; 17 (4)(b), 17 (4) (d), 17 (4) (e), 17(1) (h), 15 (a), 32 (a), Non provision of STV service to licensed zones</b>	Breach letter issued to licensee.

**Table 12: TECHNICAL MONITORING: OCTOBER - DECEMBER 2010**

	<b>LICENSEES INSPECTED</b>	<b>NON-COMPLIANCE DETECTED</b>	<b>STATUS</b>
<b>1</b>	Total Cable	17(1)(d), 17(1)(h), 17(4)(b), 17(4)(d), 17(4)(e), 25(1)	Breach letter sent 27/1/2010
<b>2</b>	Cable One Ja. Ltd.	17(1)(h), 17(4)(b), 17(4)(d), 17(4)(e), 25(1), Breach of Licence	Breach letter sent 10/12/2010
<b>3</b>	Summit Satellite	15(a), 15(b), 17(1)(h), Breach of licence	Meeting held with licensee on 8/2/2011
<b>4.</b>	Combined Comm. Ltd.	15(a), 17(1)(b), 17(1)(h), 19(1)(b)	Breach letter sent 27/1/2011
<b>5.</b>	Starcom Cable	15(a), 15(b), 17(1)(h), 17(4)(d), 17(4)(e)	Breach letter sent 27/1/2011
<b>6.</b>	CTL	17(1)(h), 17(4)(d), 17(4)(e)	Breach letter sent 27/1/2011

**Table 13: TECHNICAL MONITORING: JANUARY- MARCH 2011**

	<b>LICENSEES INSPECTED</b>	<b>NON-COMPLIANCE DETECTED</b>	<b>STATUS</b>
<b>1</b>	Cornwall Communications Limited	<b>25(1), 17(1)(h), 17(4)(d), 17(4)(e), Breach of licence – Operating a non-addressable system &amp; non-provision of service to licensed zone</b>	Breach letter sent 07./03/2011
<b>2</b>	Silly Video Cable Network	<b>17(1)(h), 7(4)(d), 17(4)(e), 25(1), 15(a), 15(b) Breach of Licence - Operating a non-addressable system</b>	Breach letter sent 31/03/2011
<b>3</b>	St. Thomas Cable Network Limited	17(1)(h), 7(4)(d), 17(4)(e), 25(1), 15(a), 15(b) Breach of Licence- Operating a non-addressable system & non provision of service to licensed zone	Breach letter sent 31/03/2011
<b>4</b>	Qes 46 Limited	<b>17(1)(h), 17(4)(d), 17(4)(e), Breach of Licence- non-provision of service to licensed zone</b>	Breach letter sent 31/03/2011
<b>5</b>	Oliver's Electronic Engineering limited	17(1)(h), Breach of Licence Operating a non-addressable system	Meeting to be held with licensee about identified breaches

	<b>LICENSEES INSPECTED</b>	<b>NON- COMPLIANCE DETECTED</b>	<b>STATUS</b>
<b>6</b>	Wilson Enterprises Ltd / Satcom Cable TV Net	<b>17(1)(h)</b>	Meeting to be held with licensee about identified breaches
<b>7.</b>	Marimaxx Communications Limited	<b>15(a), 17(4)(b), 17(4)(d), 17(4)(e), 17(1)(h), Breach of Licence Operating a non- addressable system</b>	Breach letter sent 14/04/2011
<b>8.</b>	Mega International Company Jamaica Limited	<b>15(b), 17(1)(h), Breach of Licence non provision of service to licensed zone</b>	Meeting to be held with licensee about identified breaches
<b>9.</b>	First Choice Cable Service Limited.	<b>17(1)(h), 7(4)(d), 17(4)(e), 25(1), 15(a), 15(b) Breach of Licence – system not addressable</b>	Breach letter sent 31/3/11

## TECHNICAL STANDARDS COMPLAINTS

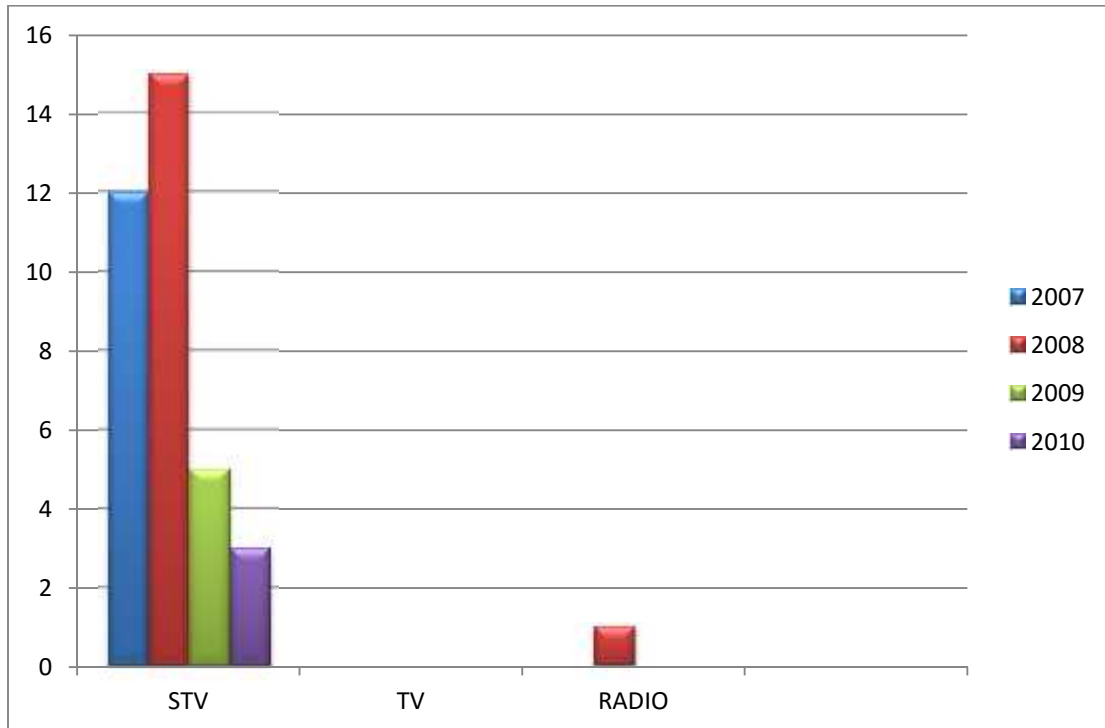
Three (3) technical complaints were received for the period April- June 2010; four (4) for the period July- September 2010; one (1) for the period October 2010- December 2010 and two (2) for the period January – March 2011 . Tables 14-17 provide a breakdown.

**Table 14: TECHNICAL STANDARDS COMPLAINTS: APRIL - JUNE 2010**

	Poor audio and video signals	No provision of service	Frequent breakdowns	Long Break in transmission	TOTAL
Mega Cable			1		1
Qes 46 Ltd	1		1		2
<b>TOTAL</b>	<b>1</b>		<b>2</b>		<b>3*</b>

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

**Figure 5: TECHNICAL STANDARDS COMPLAINTS TRENDS FOR  
QUARTERS APRIL – JUNE 2007 TO APRIL- JUNE 2010**



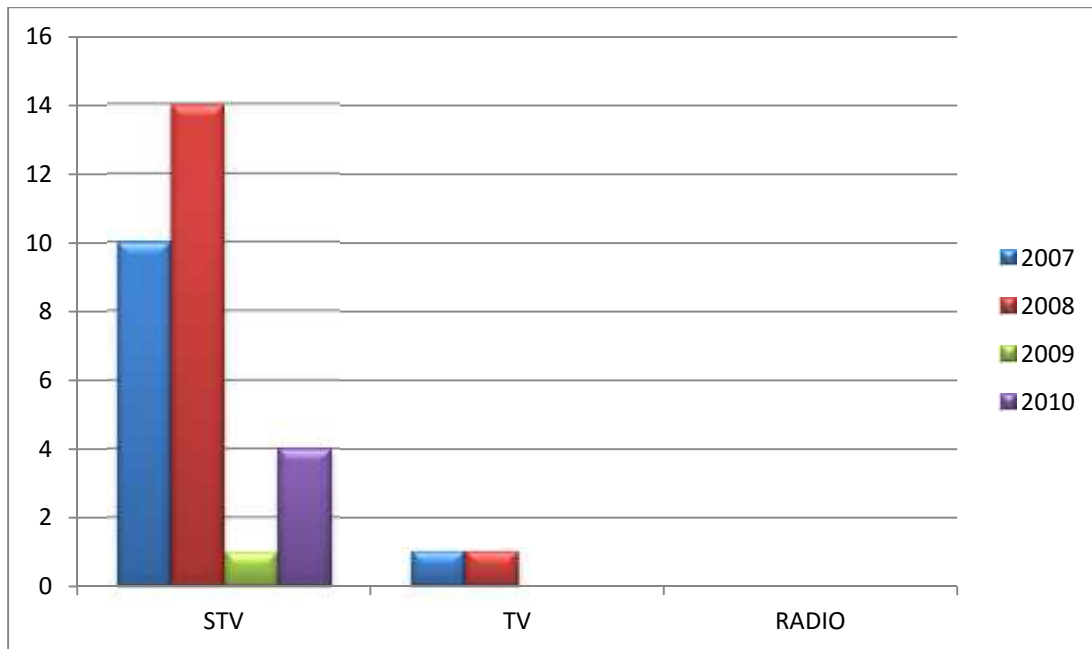
	2007	2008	2009	2010
STV	12	15	5	3
TV	0	0	0	0
RADIO	0	1	0	0

**Table 15: TECHNICAL STANDARD COMPLAINTS JULY- SEPTEMBER 2010**

	Poor audio and video signals	Non provision of service	Frequent breakdowns	signal leakage	TOTAL
CTL Limited				1	1
Cornwall Communications Limited	1				1
Columbus Communication Ltd	1				1
Wilson's Enterprises	1				1
<b>TOTAL</b>	<b>3</b>			<b>1</b>	<b>4*</b>

*\*Complaints listed above include allegations that might not have resulted in findings of breach*

**Figure 6: TECHNICAL STANDARDS COMPLAINTS TRENDS FOR  
QUARTERS JULY- SEPTEMBER 2007 TO JULY -  
SEPTEMBER 2010**



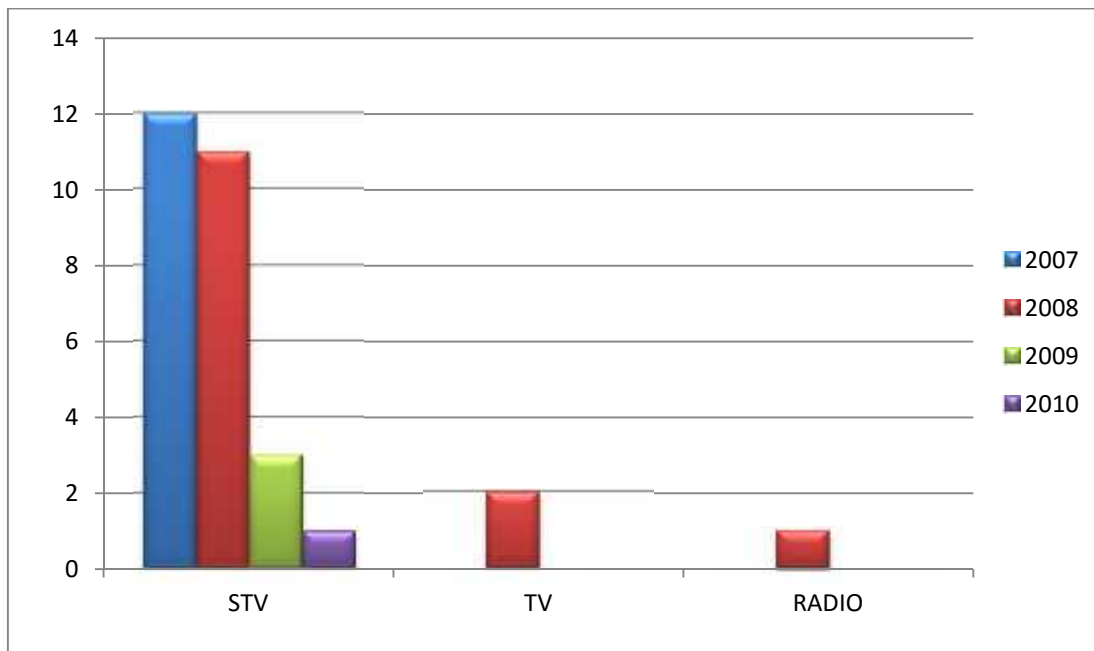
	2007	2008	2009	2010
STV	10	14	1	4
TV	1	1	0	0
RADIO	0	0	0	0

**Table 16: TECHNICAL STANDARDS COMPLAINTS:  
OCTOBER – DECEMBER 2010**

	Poor audio and video signals	Non provision of service	Frequent breakdowns	Signal leakage	TOTAL
Mega International Co. Ja. Ltd	1				1
<b>TOTAL</b>	<b>1</b>				<b>1*</b>

*\*Complaints listed above include allegations that might not have resulted in findings of breach*

**Figure 7: TECHNICAL STANDARDS COMPLAINTS TRENDS FOR  
QUARTERS OCTOBER- DECEMBER 2007 TO OCTOBER –  
DECEMBER 2010**



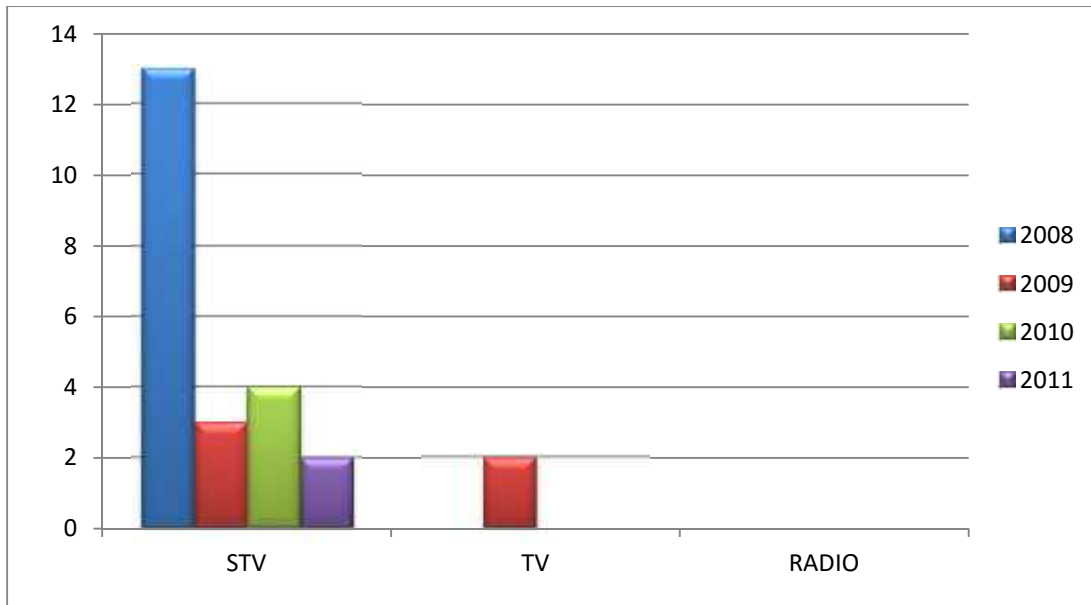
	2007	2008	2009	2010
STV	12	11	3	1
TV	0	2	0	0
RADIO	0	1	0	0

**Table 17: TECHNICAL STANDARDS COMPLAINTS  
JANUARY – MARCH 2011**

	Poor audio and video signals	Non provision of service	Frequent Breaks in transmission	Alleged interference with another licensee's apparatus	TOTAL
Columbus Comm. Ja Ltd. (Flow)				1	
Mega International Co. Ja Ltd	1				
<b>TOTAL</b>	<b>1</b>			<b>1</b>	<b>2*</b>

*\*Complaints listed above include allegations that might not have resulted in findings of breach*

**Figure 8: TECHNICAL STANDARDS COMPLAINTS TRENDS FOR  
QUARTERS JANUARY-MARCH 2008 TO JANUARY –  
MARCH 2011**

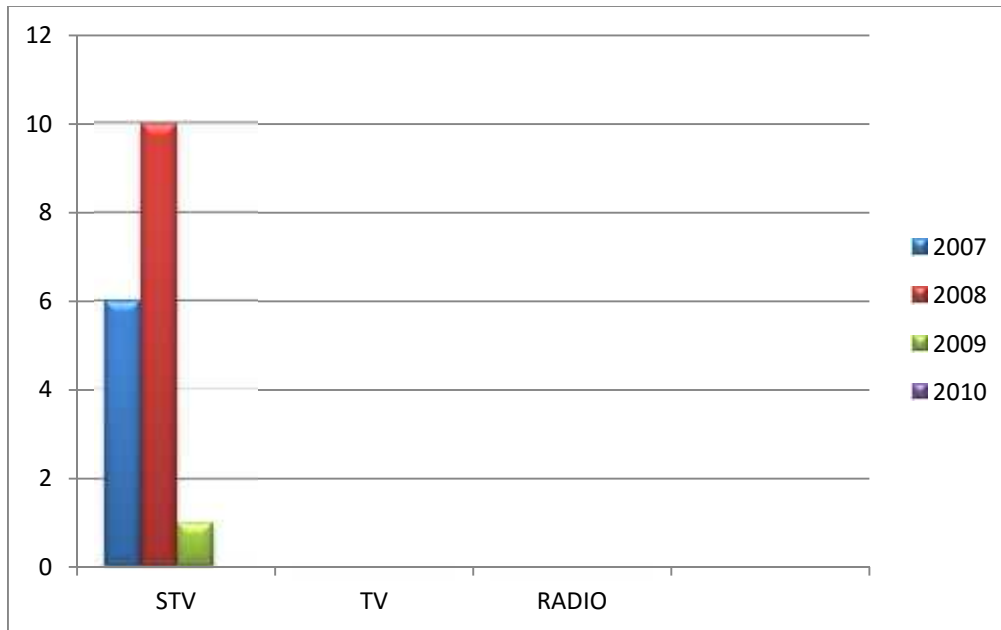


	2008	2009	2010	2011
STV	13	3	4	2
TV	0	2	0	0
RADIO	0	0	0	0

## CUSTOMER SERVICE COMPLAINTS

There were three (3) customer service complaints for the period under review.

**Figure 9: CUSTOMER SERVICE COMPLAINTS TRENDS FOR QUARTERS: APRIL-JUNE 2007 TO APRIL-JUNE 2010**



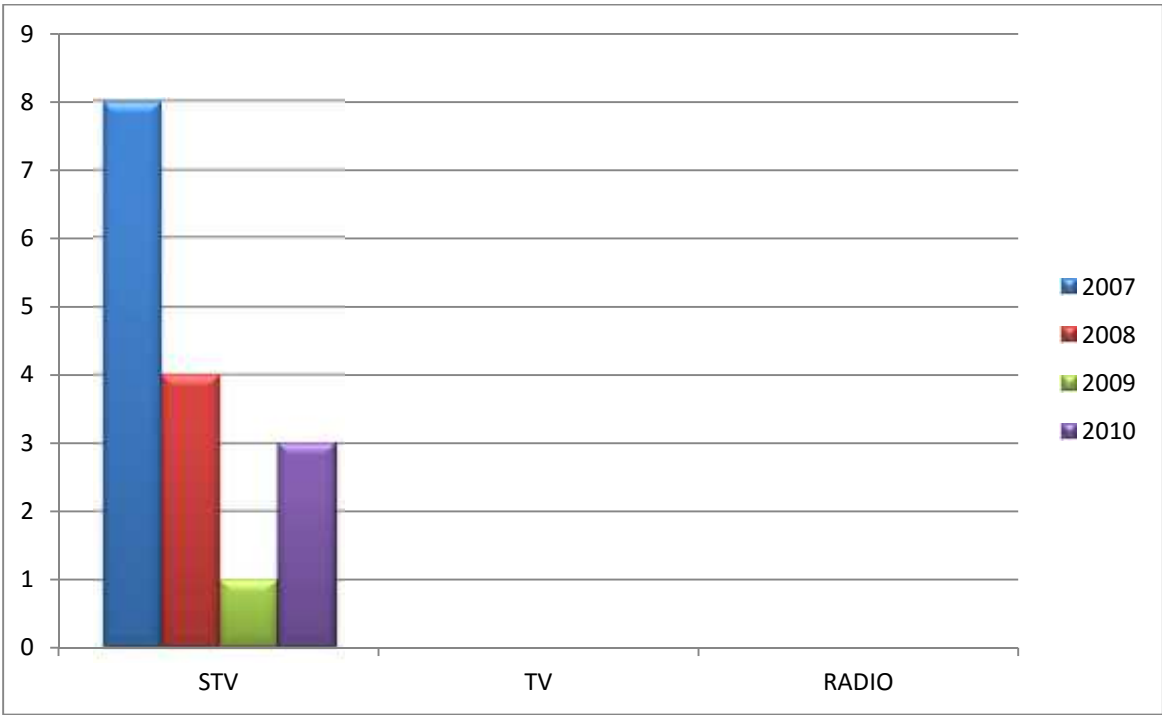
	2007	2008	2009	2010
STV	6	10	1	0
TV	0	0	0	0
RADIO	0	0	0	0

**Table 18: CUSTOMER SERVICE COMPLAINTS: JULY- SEPTEMBER 2010**

LICENSEES	NATURE OF COMPLAINTS RECEIVED								
	Inaccurate Billing	Transmitting adverts on intl. channels	Customer A/c not updated	Denying Access to channels	Increased subscribers Fees		Alleged transmission of content without owners consent	Delay in rectifying customer complaint	TOTAL
Columbus Communications (FLOW)								1	1
CTL Limited							1		1
Oliver's Electronics Engineering Ltd							1		1
<b>TOTAL</b>							<b>2</b>	<b>1</b>	<b>3*</b>

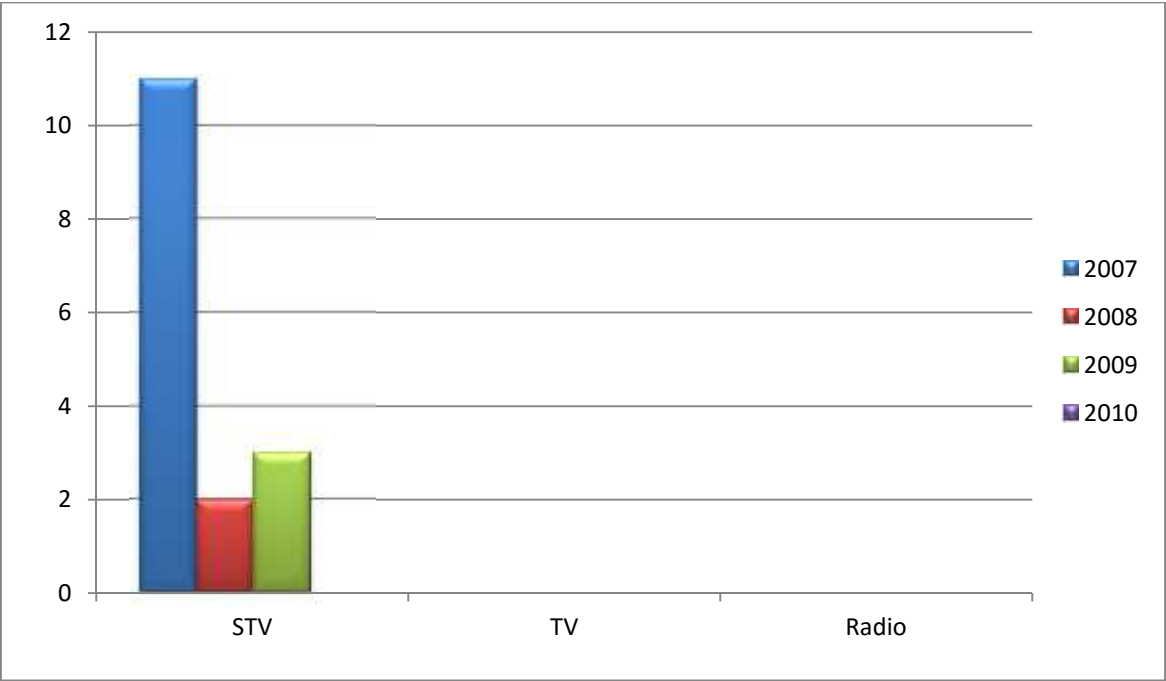
*\*Complaints listed above include allegations that might not have resulted in findings of breach*

**Figure 10: CUSTOMER SERVICE COMPLAINTS TRENDS FOR 2<sup>ND</sup> QUARTERS: JUL-SEPT 2007 TO JUL- SEPT 2010**



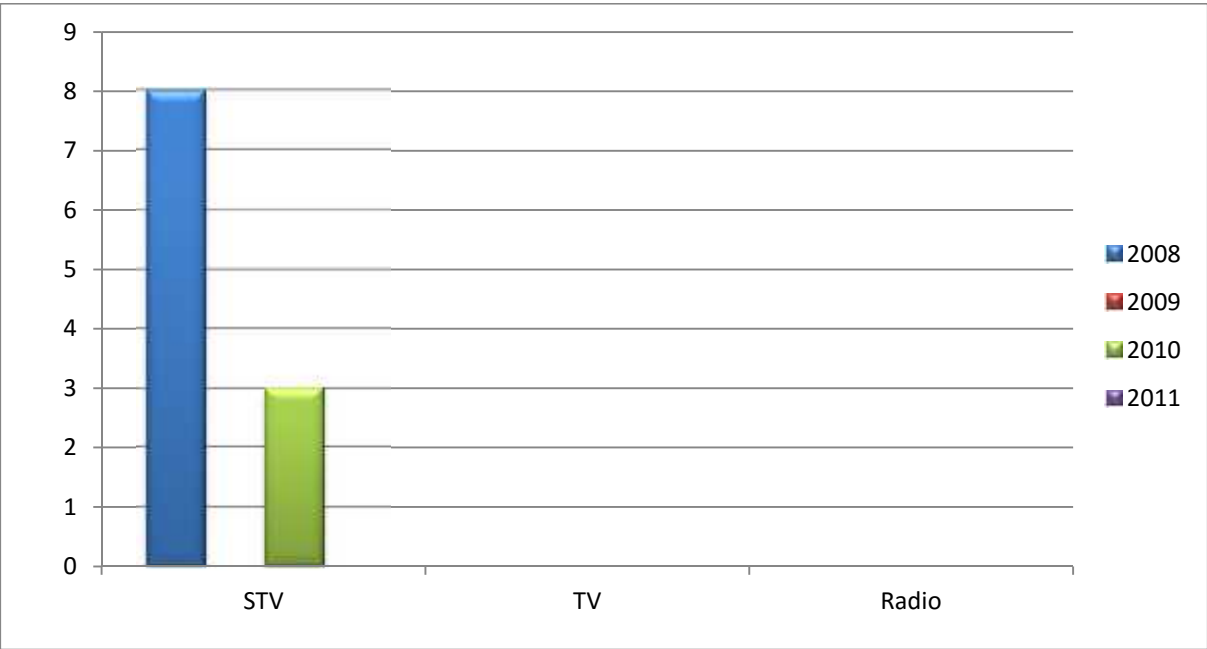
	2007	2008	2009	2010
STV	8	4	1	3
TV	0	0	0	0
RADIO	0	0	0	0

**Figure11: CUSTOMER SERVICE COMPLAINTS TRENDS FOR  
 QUARTERS: OCTOBER-DECEMBER 2007 TO  
 OCTOBER –DECEMBER 2010**



	2007	2008	2009	2010
STV	11	2	3	0
TV	0	0	0	0
RADIO	0	0	0	0

**Figure 12: CUSTOMER SERVICE COMPLAINTS TRENDS FOR  
QUARTERS: JANUARY – MARCH 2008 TO  
JANUARY –MARCH 2011**



	2008	2009	2010	2011
STV	8	0	3	0
TV	0	0	0	0
RADIO	0	0	0	0

## COMPLAINTS RESOLUTION

Sixty-eight (68) complaints were resolved during the period under review.

**Table 19** shows the categories of complaints resolved while **Table 20** details the grounds on which the Commission closed its investigations.

**Table 19: COMPLAINTS RESOLVED APRIL 2010 – MARCH 2011  
(BY SERVICE)**

	NO. OF INVESTIGATED COMPLAINTS RESOLVED (INCLUDING THOSE BROUGHT FORWARD)
Subscriber Television	14
Broadcast Television	7
Broadcast Radio	47
Total	68

**Table 20: COMPLAINTS RESOLVED FOR APRIL 2010- MARCH 2011 (BY METHOD)**

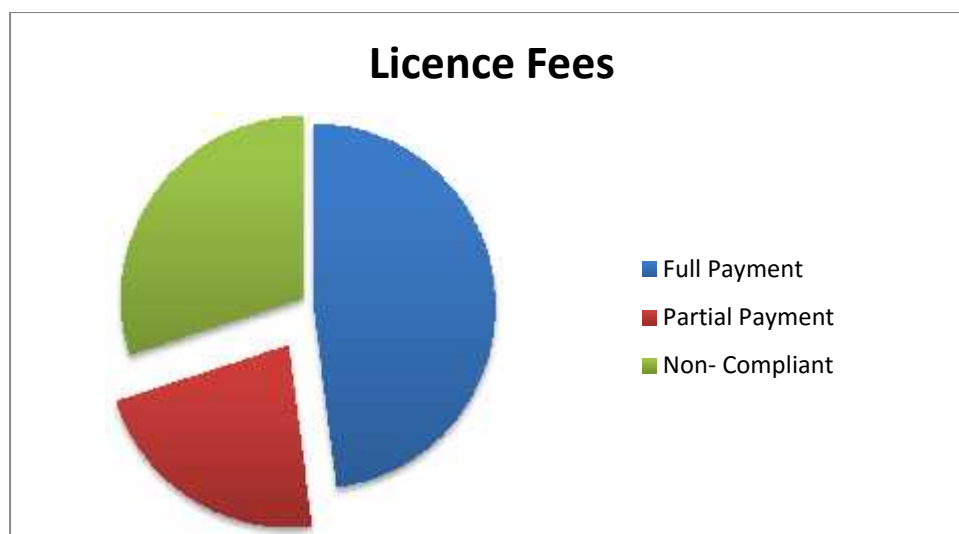
CATEGORY	Apr-Jun 2010	Jul-Sept 2010	Oct-Dec 2010	Jan-Mar 2011	TOTAL
<b>Closed - resolved to complainant's satisfaction</b> Subscriber Television Broadcast Television	5	1	1		7
<b>Closed – withdrawn by complainants</b> Subscriber Television					
<b>Closed - no response from complainant</b> Subscriber Television Broadcast Television Broadcast Radio					
<b>Closed – complainants no longer subscribe to licensee</b> Subscriber Television					
<b>Closed – new subscriber television operator</b> Subscriber Television					
<b>Complied with required remedial action for breach of licence</b> Subscriber Television Broadcast Television Broadcast Radio	1 1	1 1 7	5	1 4	2 3 16
<b>Closed – No evidence of breach of Children's Code for Programming</b> Subscriber Television Broadcast Television Broadcast Radio			1 7	5	1 22
<b>Closed – Insufficient information to pursue investigation</b> Subscriber Television Broadcast Television Broadcast Radio					
	1 1				1 1
<b>New investigation to be pursued</b> Subscriber Television Broadcast Radio					
<b>No evidence of breach of technical standards found</b> Broadcast Television					
<b>Closed - Commission's investigation complete</b> Subscriber Television Broadcast Television Broadcast Radio					
	3 5	1 1	2	1 1 1	5 7 3
<b>Complaint falls outside of Commission's mandate</b> Subscriber Television					
<b>Total</b>	<b>27</b>	<b>12</b>	<b>16</b>	<b>13</b>	<b>68</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 13**

**Figure 13**



Full Payment	48%
Partial Payment	22%
Non- Compliant	30%

**Table 21: STV Licensees Financial Compliance for quarter ended March 31, 2011**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2006	2007	2008	2009	2010	Paid in Full	Partial Payment	Non-Compliant
1	Astra Technology Ltd.	n/a	yes	yes	no	no		✓	
2	Cable One Jamaica Ltd. yes	yes	yes	no	no	no			✓
3	Cabletron Network Systems Ltd.	yes	yes	no	no	no			✓
4	Central Communication Services Ltd.	yes	yes	yes	yes	no	✓		
5	Columbus Communications - FLOW	n/a	yes	yes	yes	no	✓		
6	Combined Communications Ltd.	yes	yes	yes	no	no		✓	
7	Communicable Ltd.	no	no	no	no	no			✓
8	Cornwall Communications Ltd.	yes	yes	yes	no	no	✓		
9	CTL Limited	yes	yes	no	no	no			✓
10	Direct Cable Systems Ltd.	n/a	n/a	n/a	n/a	no	✓		
11	First Choice Cable	yes	yes	yes	yes	no	✓		
12	General Satellite Network Company	yes	yes	yes	yes	yes	✓		
13	Guthrie's Communications Ltd	yes	yes	yes	yes	no			✓
14	Inntech Communications Ltd.	yes	yes	no	no	no	✓		
15	Jamaica Cablevision Ltd.	yes	yes	yes	no	no	✓		
16	Linscom Network Limited	n/a	n/a	yes	yes	no	✓		
17	Logic One Limited	yes	yes	yes	yes	no	✓		
18	Marimaxx Communications Ltd.	yes	yes	yes	no	no		✓	
19	Mars Cable Vision Ltd.	n/a	n/a	yes	yes	no	✓		
20	McKoy Cable Television Co. Ltd.	n/a	n/a	n/a	n/a	no			✓
21	Mega International Co. Ja. Ltd.	no	no	no	no	no			✓
22	Mikes Electronics & Cable Network Ltd.	n/a	no	no	no	no		✓	
23	Mile Gully Cable Ltd	n/a	no	no	no	no		✓	
24	Modern Re-Broadcasting Co. Ltd.	yes	yes	yes	yes	no	✓		

**Table 21: STV Licensees Financial Compliance (cont'd.)**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2006	2007	2008	2009	2010	Paid in Full	Partial Payment	Non-Compliant
25	Odyssey Cable Vision Limited	n/a	yes	yes	yes	no	✓		
26	Oliver Electronics Engineering Ltd.	yes	yes	yes	no	no		✓	
27	QES 46 Limited	n/a	n/a	yes	yes	no			✓
28	Quality Cable Services (not operational)	n/a	n/a	n/a	n/a	n/a			
29	Santastic Cable Systems Ltd.	yes	yes	yes	yes	yes	✓		
30	Silly Video Cable Network Limited	yes	yes	yes	yes	no	✓		
31	Starcom Cablevision Ltd.	yes	yes	yes	yes	no			✓
32	Stars Cable Company Ltd.	yes	yes	no	yes	no	✓		
33	St. Thomas Cable Network Limited	yes	yes	no	no	no			✓
34	Summit Satellite Systems Limited	yes	yes	yes	yes	no	✓		
35	Telstar Cable Limited	yes	yes	no	no	no	✓		
36	Total Cable	n/a	no	yes	no	no			✓
37	Tru Star Cable Television Network	n/a	n/a	n/a	n/a	no	✓		
38	Unique Vision Cable Co. Ltd.	yes	yes	yes	no	no		✓	
39	Venus Cable Services	no	no	no	no	no		✓	
40	Westar Communications Limited	yes	yes	yes	no	no			✓
41	Wilson Enterprises Limited	yes	yes	yes	yes	no		✓	

## NOTICES OF BREACH

During the period under review, thirty-five (35) Notices of Breach were issued to licensees. Eighteen (18) notices arose from contraventions of content standards, three (3) for transmission of material without the rights holder's permission, one (1) for the contravention of licence and the remaining thirteen (13) for failure to meet technical standards. .

**Figure 14: TREND IN BREACHES BY SERVICE**



	07-08	08-09	09-10	10-11
STV	27	8	21	16
TV	4	2	6	5
RADIO	14	11	28	14

**Table 22: BREACHES BY BROADCAST RADIO LICENSEES**

FAME 95 FM

DATE OF BREACH:	01-Apr-10**
COMPLAINT NUMBER;	10/02/04/1043-001
NATURE OF COMPLAINT:	Transmission of material not fit for air play
NATURE OF BREACH:	Breach of Reg. 30 (d) of TSBR and the Code
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Licensee directed to air apology and publish apology in newspaper
STATUS:	Licensee complied with required remedial action. File closed.
DATE OF BREACH:	28-Apr-10**
COMPLAINT NUMBER;	10/03/09/1014-001
NATURE OF COMPLAINT:	Transmission of material not fit for air play
NATURE OF BREACH:	Breach of Reg. 30 (d) of TSBR and the Code
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Licensee directed to air apology and publish apology in newspaper
STATUS:	Licensee complied with required remedial action; File closed.
DATE OF BREACH:	12-Aug-10**
COMPLAINT NUMBER;	10/05/12/1014-001
NATURE OF COMPLAINT:	Transmission of song with sexual references and overtones
NATURE OF BREACH:	Breach of scheduling requirements of the Code
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Licensee directed to air apology and publish apology in newspaper
STATUS:	Licensee complied with required remedial action; file closed
DATE OF BREACH:	12-Aug-10**
COMPLAINT NUMBER;	10/06/28/1014-001
NATURE OF COMPLAINT:	Transmission of song with sexual overtone
NATURE OF BREACH:	Breach of scheduling requirements of the Code
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Licensee directed to air apology and publish apology in newspaper
STATUS:	File closed
DATE OF BREACH:	14-Feb-11**
COMPLAINT NUMBER;	10/12/13/1020-001
NATURE OF COMPLAINT:	Transmission of song containing problematic lyrics
NATURE OF BREACH:	Breach of Regulation 30 (d) of the TSBR and the February 6, 2009 Directives
COMMISSION DECISION:	Licensee in breach

**REMEDIAL ACTION:** Commission accepted licensee's internal remedial action.  
**STATUS:** Closed

**DATE OF BREACH:** 18-Mar-11\*\*  
**COMPLAINT NUMBER;** 11/02/08/1020-003  
**NATURE OF COMPLAINT** Transmission of song containing sexually suggestive lyrics  
**NATURE OF BREACH:** Breach of scheduling requirements of the Code **COMMISSION**  
**DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee cautioned.  
**STATUS:** Closed

#### UNIVERSAL MEDIA COMPANY LIMITED (NEWS TALK 93 FM)

**DATE OF BREACH:** 12-Aug-10\*\*  
**COMPLAINT NUMBER;** 10/04/27/1020-001  
**NATURE OF COMPLAINT** Extended sexually suggestive dialogue between host and caller  
**NATURE OF BREACH:** Breach of scheduling requirement of the Code  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to air apology  
**STATUS:** Licensee complied with required remedial action; file closed

**DATE OF BREACH:** 15-Oct-10\*\*  
**COMPLAINT NUMBER;** 10/08/19/1020-001  
**NATURE OF COMPLAINT:** Transmission of inappropriate comments by the host during the programme "Ragashanti Live"  
**NATURE OF BREACH:** Breach of TSBR  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to air apology three times over a one week period. Licensee complied.  
**STATUS:** Closed

#### GROVE BROADCASTING COMPANY LIMITED (ZIP 103 FM)

**DATE OF BREACH:** 01-Apr-10\*\*  
**COMPLAINT NUMBER;** 10/02/11/1020-001  
**NATURE OF COMPLAINT:** Transmission of material not fit for air play  
**NATURE OF BREACH:** Breach of Reg. 30 (d) of TSBR and the Code  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to air apology and publish apology in newspaper  
**STATUS:** Licensee complied with required remedial action; File closed.

**DATE OF BREACH:** 12-Aug-10\*\*  
**COMPLAINT NUMBER;** 10/07/15/1014-001

<b>NATURE OF COMPLAINT</b>	Transmission of sexually explicit content
<b>NATURE OF BREACH:</b>	Breach of the Television and Sound Broadcasting Regulations
<b>COMMISSION DECISION:</b>	Licensee in breach
<b>REMEDIAL ACTION:</b>	Licensee directed to publish apology in widely circulated newspaper.
<b>STATUS:</b>	Licensee complied with required remedial action; file closed

## NATIONWIDE NEWS NETWORK

<b>DATE OF BREACH:</b>	15-Oct-10**
<b>COMPLAINT NUMBER;</b>	10/07/12/1014-001
<b>NATURE OF COMPLAINT</b>	Transmission of sexually suggestive lyrics
<b>NATURE OF BREACH:</b>	Breach of regulation 30 (d) of the TSBR
<b>COMMISSION DECISION:</b>	Licensee in breach
<b>REMEDIAL ACTION:</b>	Commission accepted licensee's internal remedial action
<b>STATUS:</b>	Closed

<b>DATE OF BREACH:</b>	14-Mar-11**
<b>COMPLAINT NUMBER;</b>	11/02/07/1043-001
<b>NATURE OF COMPLAINT</b>	Transmission of adult discussions with strong sexual content as well as scandalous, derogatory and insulting remarks
<b>NATURE OF BREACH:</b>	Breach of clause 10 (1) and clause 10 (2) of its Licence and the Television and Sound Broadcasting Regulations
<b>COMMISSION DECISION:</b>	Licensee in breach
<b>REMEDIAL ACTION:</b>	Licensee directed to (a) Immediately discontinue the 'Raggashanti Live' programme in its current daytime slot effective March 15, 2011 (b) air and publish apology
<b>STATUS:</b>	Open

<b>DATE OF BREACH:</b>	04-Mar-11**
<b>COMPLAINT NUMBER;</b>	11/01/21/1020-001
<b>NATURE OF COMPLAINT</b>	Transmission of content containing profanity
<b>NATURE OF BREACH:</b>	Breach of Regulation 30 (d) of the TSBR and S3 (b) of the Code
<b>COMMISSION DECISION:</b>	Licensee in breach
<b>REMEDIAL ACTION:</b>	Licensee directed to publish apology
<b>STATUS:</b>	Open

RJR – RADIO 94 FM

<b>DATE OF BREACH:</b>	<b>15-Oct-10**</b>
<b>COMPLAINT NUMBER;</b>	<b>10/07/28/1014-001</b>
<b>NATURE OF COMPLAINT</b>	<b>Transmission of song containing violent lyrics</b>
<b>NATURE OF BREACH:</b>	<b>Breach of Regulation 30 (I) of the TSBK and V4 in the Code</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach</b>
<b>REMEDIAL ACTION:</b>	<b>No punitive actions due to age of song. Song should not be played at any time.</b>
<b>STATUS:</b>	<b>Closed</b>

## Table 23: BREACHES COMMITTED BY BROADCAST TELEVISION LICENSEES

### TELEVISION JAMAICA LIMITED (TVJ)

**DATE OF BREACH:** 12-Aug-10\*\*  
**COMPLAINT NUMBER;** 10/05/11/1014-001  
**NATURE OF COMPLAINT:** Transmission of abusive and derogatory language in song  
**NATURE OF BREACH:** Breach of the Television and Sound Broadcasting Regulations  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** No further punitive measures applied as Commission accepted licensee's internal remedial actions.  
**STATUS:** File closed

**DATE OF BREACH:** 14-Feb-11\*\*  
**COMPLAINT NUMBER;** 10/12/20/1020-001  
**NATURE OF COMPLAINT:** Transmission of scandalous matter during Prime Time News  
**NATURE OF BREACH:** Breach of Regulation 30 (c) of the TSBR  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Commission accepted licensee's internal remedial action  
**STATUS:** Closed

### CVM COMMUNICATIONS GROUP (CVM-TV)

**DATE OF BREACH:** 15-Oct-10\*\*  
**COMPLAINT NUMBER;** 10/08/10/1016-001  
**NATURE OF COMPLAINT:** Transmission of content containing mildly offensive language  
**NATURE OF BREACH:** Breach of scheduling requirements of the Code  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied  
**STATUS:** Closed

**DATE OF BREACH:** 14-Feb-11\*\*  
**COMPLAINT NUMBER;** 10/12/01/1020-001  
**NATURE OF COMPLAINT:** Transmission of content containing profanity  
**NATURE OF BREACH:** Breach of Regulation 30 (d) of the TSBR and L3 (a) of the Code  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Licensee directed to transmit apology. Licensee complied  
**STATUS:** Closed

## NATIONAL RELIGIOUS MEDIA COMPANY LIMITED (LOVE TELEVISION)

<b>DATE OF BREACH:</b>	<b>29-Apr-10**</b>
<b>COMPLAINT NUMBER;</b>	<b>10/02/02/1042-002</b>
<b>NATURE OF COMPLAINT:</b>	<b>Transmission of material without rights holder's permission</b>
<b>NATURE OF BREACH:</b>	<b>Breach of sections 11 (b) &amp; (c) of the TSBR</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach- failure to provide information to Commission.</b>
<b>REMEDIAL ACTION:</b>	<b>Licensee directed to place apology on channel &amp; in all three (3) newspapers</b>
<b>STATUS:</b>	<b>Licensee complied with required remedial action; File closed.</b>

## Table 24: BREACHES COMMITTED BY SUBSCRIBER TELEVISION OPERATORS

### OLIVER ELECTRONICS ENGINEERING LIMITED

<b>DATE OF BREACH:</b>	<b>01-Apr-10**</b>
<b>COMPLAINT NUMBER;</b>	<b>10/02/02/1042-001</b>
<b>NATURE OF COMPLAINT:</b>	<b>Transmission of material without rights holder's permission</b>
<b>NATURE OF BREACH:</b>	<b>Breach of Reg. 30 (a) of TSBR</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach</b>
<b>REMEDIAL ACTION:</b>	<b>Licensee directed to place apology on Community channel &amp; in all three (3) newspapers</b>
<b>STATUS:</b>	<b>Licensee complied with required remedial action; File closed</b>

### TELSTAR CABLE

<b>DATE OF BREACH:</b>	<b>14-Apr-10**</b>
<b>COMPLAINT NUMBER;</b>	<b>10/02/04/1045-001</b>
<b>NATURE OF COMPLAINT:</b>	<b>Transmission of material without rights holder's permission</b>
<b>NATURE OF BREACH:</b>	<b>Breach of Reg. 30 (a) of TSBR &amp; Section 11 (2) of licence.</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach</b>
<b>REMEDIAL ACTION:</b>	<b>Licensee formalized arrangement with copyright holder.</b>
<b>STATUS:</b>	<b>File closed</b>

### COLUMBUS COMMUNICATIONS JAMAICA LIMITED (FLOW)

<b>DATE OF BREACH:</b>	<b>05-May-10**</b>
<b>COMPLAINT NUMBER;</b>	<b>10/04/12/1042-001</b>
<b>NATURE OF COMPLAINT:</b>	<b>Contravention of the second schedule of its licence</b>
<b>NATURE OF BREACH:</b>	<b>Contravention of Clauses 1.1, 1.2, 1.4, 3 &amp; 6 of the second schedule of its licence.</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach</b>
<b>REMEDIAL ACTION:</b>	<b>Licensee directed to place an apology on its Community channel &amp; in a Sunday newspaper.</b>
<b>STATUS:</b>	<b>File closed</b>

#### TRU-STAR CABLE TELEVISION NETWORK LIMITED

**DATE OF BREACH:** 30-Jul-10\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach of license  
**REMEDIAL ACTION REQD:** Licensee directed to implement corrective measures  
**STATUS:** Open

#### CABLETRON NETWORK SYSTEMS LIMITED

**DATE OF BREACH:** 17-Sep-10\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach of license  
**REMEDIAL ACTION REQD:** Licensee directed to implement corrective measures  
**STATUS:** Open

#### CABLE ONE JAMAICA LIMITED

**DATE OF BREACH:** 10-Dec-2010\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Breach letter issued to licensee  
**STATUS:** Open

#### UNIQUE VISION CABLE COMPANY LIMITED

**DATE OF BREACH:** 10-Dec-2010\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Breach letter issued t licensee  
**STATUS:** Open

## TOTAL CABLE

**DATE OF BREACH:** 27-Jan-2011\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Breach letter issued to licensee  
**STATUS:** Open

## COMBINED COMMUNICATION LIMITED

**DATE OF BREACH:** 27-Jan-2011\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Breach letter issued to licensee  
**STATUS:** Open

## STARCOM CABLEVISION

**DATE OF BREACH:** 27Jan-2011\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Breach letter issued to licensee  
**STATUS:** Open

## CTL

**DATE OF BREACH:** 27-Jan-2011\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Breach letter issued to licensee  
**STATUS:** Open

## CORNWALL COMMUNICATIONS LIMITED

**DATE OF BREACH:** 07-Mar-2011\*\*  
**NATURE OF BREACH:** Failure to maintain technical standards – Technical Inspection  
**COMMISSION DECISION:** Licensee in breach  
**REMEDIAL ACTION:** Breach letter issued to licensee  
**STATUS:** Open

## SILLY VIDEO CABLE NETWORK

DATE OF BREACH:	31-Mar-2011**
NATURE OF BREACH:	Failure to maintain technical standards – Technical Inspection
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Breach letter issued to licensee
STATUS:	Open

## ST. THOMAS CABLE NETWORK LIMITED

DATE OF BREACH:	31-Mar-2011**
NATURE OF BREACH:	Failure to maintain technical standards – Technical Inspection
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Breach letter issued to licensee
STATUS:	Open

## QES 46 LIMITED

DATE OF BREACH:	31-Mar-2011**
NATURE OF BREACH:	Failure to maintain technical standards – Technical Inspection
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Breach letter issued to licensee
STATUS:	Open

## FIRST CHOICE CABLE LIMITED

DATE OF BREACH:	31-Mar-2011**
NATURE OF BREACH:	Failure to maintain technical standards – Technical Inspection
COMMISSION DECISION:	Licensee in breach
REMEDIAL ACTION:	Breach letter issued to licensee
STATUS:	Open

**\*\* '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.**

## PROFILE OF SERVICES

During the period under review, there were a total of twenty six (26) broadcast radio licensees. Nineteen (19) of these are for provision of island wide services. Each of these broadcast radio services utilizes an average of eight (8) transmitter sites to achieve island wide coverage. Seven (7) of the broadcast radio licences are for provision of limited area services.

There were three (3) island wide broadcast TV stations each utilizing an average of eight (8) transmitter sites to achieve island wide coverage.

Forty one (41) Subscriber Television operators are currently licensed to provide cable TV services across the island.

A listing of both broadcast (radio and TV) as well as STV is presented in Appendix E.

# LEGAL AND LICENSING AFFAIRS

## Illegal STV Operations

During the period under review, a total of four investigations were conducted into alleged illegal STV operations. All four investigations confirmed the presence of illegal STV operations. Two (2) of these operations were being conducted in St. Thomas, one in Clarendon and the other in Manchester. All four illegal operations resulted from existing licensees encroaching on zones which were not covered by their licences. Arising from the investigations, the affected licensees submitted applications to have their licences varied to include the areas in which they were illegally operating.

# APPENDICES

## APPENDIX A – COMMITTEES\*

### Legislative and Policy

Mr. Claude Robinson - Chairman

Dr. Elaine Wallace

Mrs. Hyacinth Lindsay

*Staff:* Mrs. Karlene Johnson, Mr. Donovan Campbell, Ms. Teisha Mattison

### Monitoring, Complaints and Compliance

Mrs. Rosemarie Vernon - Chairman

Canon Peter Mullings

Mr. Neville James

*Staff:* Ms. Michelle Francis, Ms. Teisha Mattison, Mr. Donovan Campbell

### Finance and Administrative

Mrs. Elaine Foster-Allen - Chairman

Dr. Hopeton Dunn,

*Staff:* Mr. Cordel Green; Ms. Juliet Anderson; Mr. Richard Myers

\*The Chairman and Executive Director are ex-officio committee members.

### Audit

Mr. Neville James - Chairman

Mr. Isiah Damdar (Independent)

## APPENDIX B - ADVISORY GROUPS

During the reporting period, the Commission was assisted in its work by two teams of specialists in the technical and financial fields.

### Technical

The Technical Advisory Group advised the Commission on the following:

- ) the level of applicants' compliance with technical Regulations and Guidelines set by the Broadcasting Commission
- ) the results of comparative review of submissions based on all the factors required for the delivery of high quality transmission
- ) all issues of a technical nature related to STV and broadcast services.

The Technical Advisory Group members for the period were:

### Chairman

Mr. Wainsworth Anderson M.Sc. (Telecommunications); BSc. (Hons.); Dip. Mgt.Studies.

Director of Electrical & Mechanical Engineering, National Works Agency

### Members

Mr. Leslie Facey, BSc. (Hons.), Dip. Electronics Engineering Technology; Dip. Technical Education, Lecturer in Engineering, University of Technology

Mr. Henry Batson, M.Sc. (Management Information System); B.Sc. (Hons.) - (Electronics and Telecommunications), Director of Spectrum Engineering Division, Spectrum Management Authority

Mr. Roy Humes –Telecommunications consultant, former Director of Spectrum Engineering Division, Spectrum Management Authority

## **Financial**

The services of the firm of management and financial consultants, BDO Ltd. were retained to assist and advise the Commission in the areas of:

- evaluation of business plans from applicants for licences for both subscriber television and broadcast services
- and to supply expertise in finance management that may be required periodically

## APPENDIX C - SALARIES AND EMOLUMENTS

### DIRECTORS' COMPENSATION

Position of Director	Fees (\$)	Motor Vehicle Upkeep/Travelling or Value of Assigned Motor Vehicle (\$)	Honoraria (\$)	All Other Compensation including Non-Cash Benefits as applicable (\$)	Total (\$)
Chairman	180,000	0	0	0	180,000
Commissioner 1	120,000	0	0	0	120,000
Commissioner 2	120,000	0	0	0	120,000
Commissioner 3	120,000	0	0	0	120,000
Commissioner 4	120,000	0	0	0	120,000
Commissioner 5	120,000	0	0	0	120,000
Commissioner 6	120,000	0	0	0	120,000
Commissioner 7	120,000	0	0	0	120,000

#### Notes

1. Where a non-cash benefit is received (e.g. government housing), the value of that benefit shall be quantified and stated in the appropriate column above.

## SENIOR EXECUTIVE COMPENSATION

Position of Senior Executive	Year	Salary (\$)	Gratuity or Performance Incentive (\$)	Travelling Allowance or Value of Assigned Motor Vehicle (\$)	Pension or Other Retirement Benefits (\$)	Other Allowances (\$)	Non-Cash Benefits (\$)	Total (\$)
Executive Director	2010/2011	5,407,958	409,435	796,500	0	0	0	6,613,893
Asst. Executive Director	2010/2011	4,208,098	336,648	796,500	0	0	0	5,341,246

### **Notes**

1. Where contractual obligations and allowances are stated in a foreign currency, the sum in that stated currency must be clearly provided and not the Jamaican equivalent.
2. Other Allowances (including laundry, entertainment, housing, utility, etc.)
3. Where a non-cash benefit is received (e.g. government housing), the value of that benefit shall be quantified and stated in the appropriate column above.

## **APPENDIX D – PORTFOLIO RESPONSIBILITY**

During the period under review, oversight of the Information portfolio was provided by the Hon. Daryl Vaz, M.P.



Hon. Daryl Vaz, M.P.

## APPENDIX E – BROADCAST LICENSEES

**Table 1      List of Broadcast Radio Licensees**

RADIO BROADCAST LICENSEES				
LICENSEES		Call Signs	Island wide Broadcasters	Limited Area Broadcasters
1.	Aeronautical Telecommunications Limited	KOOL 97-FM	<input checked="" type="checkbox"/>	
2.	Alliance Francaise De La Jamaïque	RFI		<input checked="" type="checkbox"/>
3.	British Broadcasting Corporation	BBC	<input checked="" type="checkbox"/>	
4.	Cornwall Broadcasting Company Limited	Mello FM		<input checked="" type="checkbox"/>
5.	Grove Broadcasting Company Limited	IRIE-FM	<input checked="" type="checkbox"/>	
6.		ZIP 103 FM	<input checked="" type="checkbox"/>	
7.	Independent Radio Company Limited	POWER 106FM	<input checked="" type="checkbox"/>	
8.		MUSIC 99 FM	<input checked="" type="checkbox"/>	
9.	Island Broadcasting Company Limited	KLAS Sports Radio	<input checked="" type="checkbox"/>	
10.	Kommerical Suites Limited	MEGA JAMZ-98FM	<input checked="" type="checkbox"/>	
11.	Mothers in Crisis	Sun City Radio		<input checked="" type="checkbox"/>
12.	Mustard Seed Communities	ROOTS FM		<input checked="" type="checkbox"/>
13.	National Religious Media Company Limited	LOVE-FM	<input checked="" type="checkbox"/>	
14.	Native Broadcasting	Stylz FM		<input checked="" type="checkbox"/>
15.	RJR Communications Group	FAME FM	<input checked="" type="checkbox"/>	
16.		HITZ 92	<input checked="" type="checkbox"/>	
17.		RJR 94 FM	<input checked="" type="checkbox"/>	
18.	Nationwide News Network (*)	NNN	<input checked="" type="checkbox"/>	
19.	Northern Caribbean University	NCU FM	<input checked="" type="checkbox"/>	
20.	S & B Communications	JA 105	<input checked="" type="checkbox"/>	
21.	St. Bess Radio FM Company Ltd.	BESS FM		<input checked="" type="checkbox"/>
22.	Tarrant Baptist Church	TBC		<input checked="" type="checkbox"/>

**Table 1 List of Broadcast Radio Licensees cont'd.**

RADIO BROADCAST LICENSEES				
LICENSEES		Call Signs	Island wide Broadcasters	Limited Area Broadcasters
23.	Western Broadcasting Ltd	HOT 102 FM	<input checked="" type="checkbox"/>	
24.	Westmoreland Broadcasting Service Limited	VYBZ FM		<input checked="" type="checkbox"/>
25.	Universal Media Company	NEWS TALK 93 FM	<input checked="" type="checkbox"/>	
26.	Yard Broadcasting Limited	LYNX FM		<input checked="" type="checkbox"/>

**(\*) denotes licensee utilizing the FM frequencies which were reserved for PBCJ under a lease agreement.**

**Table 2      List of Broadcast Television Licensees**

TELEVISION BROADCAST LICENSEE				
LICENSEES		Call Signs	Island wide Broadcasters	Limited Area Broadcasters
1	CVM Television Limited	CVM	<input checked="" type="checkbox"/>	
2	Television Jamaica Limited	TVJ	<input checked="" type="checkbox"/>	
3	LOVE Television	LOVE TV	<input checked="" type="checkbox"/>	

## APPENDIX E - CABLE TV SERVICES

The following is a list of the forty one (41) licensed cable operators in Jamaica along with the zones they serve.

**Table 3      List of STV Licensees and Zones Served**

Zone	Licensee
<b>Kingston &amp; St. Andrew</b>	
Harbour View	Flow; CTL LTD.
Central Down Town	Flow
Fletcher's Land	Flow
Allman Town	Flow
Campbell Town	Flow
East Down Town	Flow
Passmore Town	Flow
Franklin Town	Flow
Rollington Town	Flow
Bournemouth Gardens	Flow
Norman Gardens	Flow
D'Aguilar Town	Flow
August Town	Flow
Mona	Flow
Hope Tavern	Flow
Hope Pastures	Flow
Beverly Hills	Flow
Barbican	Flow, Telstar Cable Ltd.
Cherry Gardens	Flow; Telstar Cable Ltd.
Grants Pen	Logic One Ltd.; Telstar Cable Ltd.
Half-Way-Tree	Flow; Telstar Cable Ltd.
Trafalgar Park	Flow; Telstar Cable Ltd.
New Kingston	Flow; Telstar Cable Ltd.
Swallowfield	Flow
Vineyard Town	Flow
Cross Roads	Flow
Jones Town	Flow
Trench Town	Flow
Kencot	Flow
Whitfield Town	Flow
Greenwich Town	Flow

**Table 3 List of STV Licensees and Zones Served *cont'd***

<b>Zone</b>	<b>Licensee</b>
Delacree Pen	Flow
Boucher Park	Flow
Richmond Park	Flow
Eastwood Park Gardens	Flow; Logic One Ltd.
Constant Spring Gardens	Logic One Ltd.; Telstar Cable Ltd.
White Hall	Logic One Ltd.; Telstar Cable Ltd.
Red Hills Gardens	Flow; Logic One Ltd.
Arlene Gardens	Flow; Logic One Ltd.
Meadowbrook	Logic One Ltd.; Telstar Cable Ltd.
Meadowbrook Estates	Flow; Logic One Ltd.
Marverly	Flow; Logic One Ltd.
Balmagie	Flow
Molynes Gardens	Logic One Ltd.; Flow
Waltham Gardens	Logic One Ltd.; Flow
Cockburn Gardens	Flow
Tower Hill	Flow
Penwood	Flow
Riverton City	Flow
Washington Gardens	Flow
Patrick City	Flow
Duhaney Park	Flow
New Haven	Flow
Red Hills	Flow; Logic One Ltd.
Rock Hall	Logic One Ltd.; Flow
Golden Spring	Logic One Ltd.
Stony Hill	Flow; Logic One Ltd.
Constant Spring	Flow; Telstar Cable Ltd.
Seven Miles	CTL Ltd.
Bull Bay	CTL Ltd.
Dallas	Quality Cable
<b>St. Thomas</b>	
Bath	St. Thomas Cable Network
Seaforth	St. Thomas Cable Network
White Horses	Summit Satellite; St. Thomas Cable Network
Morant Bay	Summit Satellite; St. Thomas Cable Network
Trinityville	First Choice; St. Thomas Cable Network
Airy Castle	Summit Satellite; St. Thomas Cable Network
Cedar Valley	St. Thomas Cable Network

**Table 3 List of STV Licensees and Zones Served *cont'd***

<b>Zone</b>	<b>Licensee</b>
Port Morant	St. Thomas Cable Network
Yallahs	St. Thomas Cable Network
Duckenfield	St. Thomas Cable Network
<b>Portland</b>	
Manchioneal	St. Thomas Cable Network; Astra Technology Ltd.
Priestman's River	Wilson's Enterprises Ltd.; Astra Technology Ltd.
Fellowship	Wilson's Enterprises Ltd.; Astra Technology Ltd.
Port Antonio East	Wilson's Enterprises Ltd.
Port Antonio West	Wilson's Enterprises Ltd.
Hope Bay	Wilson's Enterprises Ltd.
Buff Bay	Inntech Communication Ltd.
<b>St. Mary</b>	
Highgate East	Flow; Cable One Jamaica Ltd.
Highgate West	Flow; Cable One Jamaica Ltd.
Richmond	Flow
Annotto Bay	Silly Video Cable Network Ltd.
Port Maria	Flow
Mason Hall	Flow
Oracabessa	Flow
Retreat	Flow
Guys Hill	Stars Cable Company Limited
<b>St. Ann</b>	
Brown's Town	Santastic Cable Systems
Breadnut Hill	Flow; Stars Cable Company
Ocho Rios	Flow; Stars Cable Company
Bamboo	Flow; Stars Cable Company
St. Ann's Bay	Flow
Sturge Town	Flow
Discovery Bay	Central Communication Services Limited
Moneague	Stars Cable Company Limited
Claremont	Stars Cable Company Limited
Alexandria	Odyssey Cable Vision Limited
<b>Trelawny</b>	
Falmouth	Cornwall Communications Ltd.; Westar Communication Limited

**Table 3 List of STV Licensees and Zones Served *cont'd***

<b>Zone</b>	<b>Licensee</b>
Duncans	Westar Communication Limited
Wakefield	Modern Rebroadcasting Company Limited
<b>St. James</b>	
Mango Walk	Cornwall Communications Ltd.; Flow
Rosemount	Cornwall Communications Ltd.; Flow
Mount Salem	Cornwall Communications Ltd.; Flow
Catherine Mount	Cornwall Communications Ltd.; Flow
Barrett Town	Unique Vision Cable Network Ltd; Modern Rebroadcasting Co. Ltd.
Somerton	Unique Vision Cable Network Ltd; Modern Rebroadcasting Co. Ltd.
Johns Hall	Cornwall Communications Limited
Ironshore	Cornwall Communications Limited; Flow
Flankers	Cornwall Communications Limited; Flow
Porto Bello	Cornwall Communications Limited; Flow
Pitfour Pen	Cornwall Communications Limited; Flow
Reading	Flow
Anchovy	Guthrie's Communications Limited
Cambridge	Guthrie's Communications Limited
<b>Hanover</b>	
Sandy Bay	Flow; Qes 46 Ltd.
Lucea	Flow
Green Island	Flow
Hopewell	Flow; Qes 46 Ltd.
Ramble	Guthrie's Communications Limited
Davis Cove	Qes 46 Ltd.
Dias	Qes 46 Ltd.
<b>Westmoreland</b>	
Negril	Flow; Qes 46 Ltd.
Little London	Cabletron Network Systems Ltd.; Qes 46 Ltd.
Locust Tree	Communicable Limited
Grange Hill	Cabletron Network Systems Ltd.; Communicable Ltd.
Frome	Cabletron Network Systems Ltd.; Communicable Ltd.
Dunbar Corner	Cabletron Network Systems Ltd.; Cornwall Communications Ltd.
Petersfield	Cabletron Network Systems Ltd.

**Table 3 List of STV Licensees and Zones Served *cont'd.***

<b>Zone</b>	<b>Licensee</b>
Savanna-La-Mar	Cabletron Network Systems Ltd.; Cornwall Communications Ltd.
Ferris	Guthrie's Communications Limited
Darliston	Guthrie's Communications Limited
Lambs River	Guthrie's Communications Limited
Lenox Bigwoods	Guthrie's Communications Limited
Whitehouse	Guthrie's Communications Limited
Sheffield	Qes 46 Ltd.
<b>St. Elizabeth</b>	
Black River	Marimaxx Communications Ltd.
Southfield	McKoy Cable Television Company Ltd.
Junction	McKoy Cable Television Company Ltd.
Santa Cruz	Total Cable Ltd.
Balaclava	Tru Star Cable Ltd.
<b>Manchester</b>	
Christiana	Mega International Co. Jamaica Ltd.; Mars Cable Vision Ltd.
Mandeville East	Mega International Co. Jamaica Ltd.; Flow
Mandeville South	Mega International Co. Jamaica Ltd.; Flow
Mandeville North	Mega International Co. Jamaica Ltd.; Flow
Mandeville West	Mega International Co. Jamaica Ltd.; Flow
Porous	Mile Gully Cable Ltd.
Coleyville	Mars Cable Vision Ltd.
<b>Clarendon</b>	
Lionel Town	Cable One Jamaica Ltd.
Rocky Point	Cable One Jamaica Ltd.
Palmer's Cross	General Satellite Network Ltd.
May Pen East	General Satellite Network Ltd.
May Pen North	General Satellite Network Ltd.
May Pen South	General Satellite Network Ltd.
May Pen West	General Satellite Network Ltd.
Mason River	Venus Cable Service Ltd.
Kellits	Venus Cable Service Ltd.
Lluidas Vale	Venus Cable Service Ltd.
Sandy Bay	Combined Communications limited; Cable One Jamaica Limited

**Table 3 List of STV Licensees and Zones Served *cont'd***

<b>Zone</b>	<b>Licensee</b>
Toll Gate	Mike's Electronics & Cable Network Ltd
<b>St. Catherine</b>	
Bogwalk	Linscom Network Ltd.
Linstead	Linscom Network Ltd.
Ewarton	Linscom Network Ltd.
Gutters	Combined Communications Ltd.
Browns Hall	Direct Cable Ltd.
Red Ground	Direct Cable Ltd.
Old Harbour	Combined Communications Ltd.
Old Harbour Bay	Combined Communications Ltd.
Hellshire	Flow; Starcom Cablevision Ltd.
Bernard Lodge	Flow; Jamaica Cablevision
Horizon Park	Flow; Jamaica Cablevision
Willowdene	Flow; Jamaica Cablevision
Green Acres	Flow; Jamaica Cablevision
Winters Pen	Flow; Jamaica Cablevision
Eltham	Flow; Jamaica Cablevision
Ensom City	Flow; Jamaica Cablevision
Spanish Town Central	Flow; Jamaica Cablevision
Greendale	Flow; Jamaica Cablevision
Central Village	Flow; Jamaica Cablevision
Caymanas Park	Flow; Oliver Electronics Engineering Ltd.
Independence City	Flow; Oliver Electronics Engineering Ltd.
Passage Fort	Flow; Oliver Electronics Engineering Ltd.
Edgewater	Flow; Oliver Electronics Engineering Ltd.
Naggo Head	Flow; Oliver Electronics Engineering Ltd.
Braeton	Flow; Starcom Cable Vision Ltd.
Greater Portmore 1	Flow; Starcom Cable Vision Ltd.
Greater Portmore 2	Flow; Starcom Cable Vision Ltd.
Greater Portmore 3	Flow; Starcom Cable Vision Ltd.
Greater Portmore 4	Flow; Starcom Cable Vision Ltd.
Greater Portmore 5	Flow; Starcom Cable Vision Ltd.
Greater Portmore 6	Flow; Starcom Cable Vision Ltd.
Island wide	Flow

## **APPENDIX F – AUDITED FINANCIAL STATEMENTS (ATTACHMENT)**

BROADCASTING COMMISSION

FINANCIAL STATEMENTS

MARCH 31, 2011

**BROADCASTING COMMISSION**  
YEAR ENDED MARCH 31, 2011

<b>I N D E X</b>	<b>P A G E</b>
AUDITORS' REPORT TO THE COMMISSION	1-2
<b>FINANCIAL STATEMENTS:</b>	
STATEMENT OF FINANCIAL POSITION	3
STATEMENT OF CHANGES IN RESERVES	4
STATEMENT OF COMPREHENSIVE INCOME	5
STATEMENT OF CASH FLOWS	6
NOTES TO THE FINANCIAL STATEMENTS	7-16

## Independent auditors' report

### To the Members of Broadcasting Commission

#### Report on the Financial Statements

We have audited the accompanying financial statements of the Broadcasting Commission, which comprise the statement of financial position as at March 31, 2011, and the statement of comprehensive income, statement of changes in reserves and statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory notes.

#### *Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards for Small and Medium-Sized Entities and the Radio Re-Diffusion (Amendment) Act of 1986. This responsibility includes: designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

#### Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

...../cont'd

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Dudley Barrett

Associates: D.A. Barrett; H.E. McPherson; D.P. Barrett

Office Manager: J.I. Mesquita

# Barrett & Company

Chartered Accountants

B&B Education Centre  
15 Carlton Crescent  
Kingston 10, Jamaica W.I.  
Tel: (876) 929-6878;  
929-7662; 960-8602  
Fax: (876) 929-0573

## To the Members of Broadcasting Commission

### *Auditors' Responsibility (cont'd)*

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### **Opinion**

In our opinion, the financial statements give a true and fair view of the financial position of the Commission as at March 31, 2011, and of the Commission's financial performance, changes in reserve and cash flows for the year then ended in accordance with International Financial Reporting Standards for Small and Medium-Sized entities.

### **Report on additional requirements of the Government of Jamaica Public Sector Procurement Procedures.**

We have obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purposes of our audit. In our opinion, proper accounting records have been maintained, and the financial statements are in agreement with the accounting records. The financial statements give information required by the Broadcasting and the Radio Re-Diffusion (Amendment) Act 1986 and comply with the requirements of the Government of Jamaica Public Sector Procurement Procedures.



Chartered Accountants

Kingston, Jamaica  
June 27, 2011

Dudley Barrett

Associates: D.A. Barrett; H.E. McPherson; D.P. Barrett

Office Manager: J.I. Mesquita

BROADCASTING COMMISSION  
STATEMENT OF FINANCIAL POSITION  
MARCH 31, 2011

PAGE 3

		2011	2010
ASSETS	NOTE	\$	Restated \$
Property, plant & equipment	6	9,056,711	12,559,446
Deposits	7	205,668	205,668
<b>Total Non-current assets</b>		9,262,379	12,765,114
Receivables- licence fee		45,102,021	37,004,012
Other receivables	8	1,082,824	655,227
Taxation recoverable		4,274,945	5,519,035
Cash and cash equivalents	9	218,442,193	97,962,652
<b>Total Current Assets</b>		268,901,983	141,140,926
<b>Total Assets</b>		<u>278,164,362</u>	<u>153,906,040</u>
<b>CURRENT LIABILITIES</b>			
Payables	10	<u>11,248,517</u>	<u>11,220,166</u>
<b>RESERVES</b>			
Capital reserve	11	-	370,000
Deferred credit	12	260,541	521,082
Accumulated fund		266,655,304	141,794,792
		266,915,845	142,685,874
<b>Total Reserves &amp; Liabilities</b>		<u>278,164,362</u>	<u>153,906,040</u>

Approved by the members of the Commission on June 27, 2011 and signed on their behalf by:

.....EXECUTIVE DIRECTOR

.....CHAIRMAN

BROADCASTING COMMISSION  
**STATEMENT OF CHANGES IN RESERVES**  
YEAR ENDED MARCH 31, 2011

PAGE 4

	Deferred Credit \$	Capital Reserve \$	Accumulated Fund \$	Total \$
Balance as at March 31, 2009	781,622	370,000	91,743,365	92,894,987
Addition	-	-	-	-
Transfers	(260,540)	-	260,540	-
Surplus for the year	-	-	49,790,887	49,790,887
Balance as at March 31, 2010	521,082	370,000	141,794,792	142,685,874
Addition	-	-	-	-
Transfers	(260,541)	-	260,541	-
Disposal	-	(370,000)	370,000	-
Surplus for the year	-	-	124,229,971	124,229,971
Balance as at March 31, 2011	260,541	-	266,655,304	266,915,845

BROADCASTING COMMISSION  
**STATEMENT OF COMPREHENSIVE INCOME**  
YEAR ENDED MARCH 31, 2011

PAGE 5

		2011	2010
		\$	Restated \$
REVENUE	NOTE		
Licence fee	13	229,471,024	137,957,657
Other income	14	<u>12,593,776</u>	<u>13,135,247</u>
		242,064,800	151,092,904
Administrative and other overhead expenses	15	(117,689,433)	(101,345,989)
(Loss)/ Gain on Foreign Exchange		<u>(145,396)</u>	<u>43,972</u>
Net Surplus for the year		<u><u>124,229,971</u></u>	<u><u>49,790,887</u></u>

BROADCASTING COMMISSION  
STATEMENT OF CASH FLOWS  
YEAR ENDED MARCH 31, 2011

PAGE 6

	2011	2010
	\$	Restated \$
<b>SOURCES (USES) OF CASH</b>		
<b>OPERATING ACTIVITIES</b>		
Surplus for the year	124,229,971	49,790,887
Items not affecting cash:		
Prior year adjustment	-	(9,419,740)
Gain on disposal of fixed assets	(230,977)	(37,052)
Depreciation	4,838,026	4,144,249
	128,837,020	44,478,344
Changes in non-cash working capital components		
Receivables -licence fee	(8,098,009)	-
Other receivables	(427,597)	1,396,932
Payables	28,351	3,787,586
Taxation recoverable	1,244,090	(3,100,576)
	(7,253,165)	2,083,942
Cash provided by operating activities	121,583,855	46,562,286
<b>INVESTING ACTIVITIES</b>		
Additions to fixed assets	(1,339,312)	(8,556,947)
Proceeds from sale of fixed assets	234,998	110,850
	(1,104,314)	(8,446,097)
Increase in net cash and cash equivalent	120,479,541	38,116,189
Net cash and cash equivalent at the beginning of the year	97,962,652	59,846,463
Net cash and cash equivalent at the end of the year	218,442,193	97,962,652

**1. IDENTIFICATION**

The Broadcasting Commission is a body established under the Broadcasting and the Radio Re-Diffusion (Amendment) Act of 1986. The Commission is domiciled in Jamaica with offices located at 53 Knutsford Boulevard Kingston 5, Jamaica.

The main function of the Commission is to monitor and regulate the electronic media industry.

All amounts in these financial statements are stated in Jamaican dollars.

**2. ADOPTION OF NEW AND REVISED ACCOUNTING STANDARDS**

During the year the Commission adopted The International Financial Reporting Standards for Small and Medium-Sized Entities (IFRS for SMEs). The standard is an independent standard that prescribes financial reporting guidance for small and medium-sized entities.

(a) The standard is applicable to Small and Medium-Sized Entities (SMEs) that:

- (i) Do not have public accountability.
- (ii) Do not publish general purpose financial statements for external users.

An entity has public accountability if its debt or equity instruments are traded in a public market or it is in the process of issuing such instruments for trading in a public market. The entity holds assets in a fiduciary capacity for a broad group of outsiders as one of its primary businesses.

(b) The objective of a set of accounts prepared under the standard is to provide information on the financial position, performance, and cash flows of the entity.

(c) The standard does not prescribe the sequence or format in which items are to be presented in the statement of financial position.

3. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of preparation

These financial statements have been prepared in accordance with International Financial Reporting Standards for Small and Medium-Sized Entities and have been prepared under the historical cost convention as modified by the revaluation of certain fixed assets.

Prior year adjustment

Prior to 2011 licence fee income was recorded on the cash basis.

During 2011 there was a change in accounting policies and licence fee is now recorded on the accruals basis.

The preparation of financial statements in conformity with International Financial Reporting Standards for Small and Medium-Sized Entities requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates. The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the year of the revision and future years, where applicable.

(b) Property, Plant and Equipment

(i) Items of property, plant and equipment are stated at cost less accumulated depreciation and any impairment losses.

(ii) Depreciation is charged on assets from the date of acquisition.

Depreciation is provided on the straight line basis at such rates as will write off the cost of the assets over the period of their expected useful lives. The rates are as follows:

Furniture, fixtures, equipment, computers	10-20%
Motor vehicles	20%

(c) Revenue Recognition

The Commission derives a significant portion of its revenue from subscriber television licence fee. Interest and other income are recognised when earned in accordance with the relevant agreements in place.

3. **SIGNIFICANT ACCOUNTING POLICIES CONT'D**

(d) Grants

Grants received are deferred where the benefit of the grant is represented by fixed assets. Annual transfers, equivalent to depreciation charged on fixed assets funded by such grants, are made from the deferred credit to the accumulated surplus account. In other cases, the grant is brought to account as revenue for the period in which it is received.

(e) Cash and Cash Equivalents

Cash and cash equivalents consist of cash on hand, deposits held on call with banks and other short-term highly liquid investments.

(f) Payables and Accruals

Payables and accruals are stated at cost.

(g) Impairment of Non-Current Assets

Equipment, appliances and other non-current assets are reviewed for impairment whenever events or changes indicate that the carrying amount may not be recoverable. An impairment loss is recognised if the carrying amount of the asset exceeds its recoverable value.

(h) Foreign Currencies

Transactions in foreign currency are converted at the rates of exchange ruling at the date of those transactions. Foreign currency balances are translated at the applicable rates of exchange ruling at balance sheet date. Exchange differences as a result of fluctuations in exchange rates are reflected in the statement of comprehensive income.

(i) Expenses

Expenses are accounted for on the accruals basis.

(j) Financial Instruments

A financial instrument is any contract that gives rise to both a financial asset of one enterprise and a financial liability or equity instrument of another enterprise. For the purpose of these financial statements, financial instruments carried in the statement of financial position include cash and cash equivalents, receivables, payables and borrowing facilities.

3. **SIGNIFICANT ACCOUNTING POLICIES CONT'D**

(k) Comparative Information

Where necessary, comparative figures have been reclassified to conform with changes in presentation in the current year.

(l) Employee Benefits

Employee benefits include current or short-term benefits such as salaries, NIS contributions paid, annual leave, and non-monetary benefits such as medical care, post employment benefits such as pensions.

General Benefits

Employee benefits that are earned as a result of past or current service are recognised in the following manner: short-term employee benefits are recognised as a liability, net of payments made, and charged as expense. The expected cost of vacation leave that accumulates is accrued when the employee becomes entitled to the leave. Post employment benefits are accrued as they are earned and charged as an expense, unless not considered material, in which case they are charged when they fall due.

(m) Pension

Pension plan costs are the contributions by the Commission to the defined contribution pension plan which it has established to provide retirement pensions to employees. Obligations for contributions to the pension plan are recognised as an expense in the statement of revenue and expenses at they become payable to the pension fund.

The Commission operates a defined contribution pension plan for its employees, which is administered by a life assurance company. The fund was established in financial year ended March 31, 2002 and is funded by contributions from employees and employer. The Commission contributes at a rate of five percent (5%) of pensionable salaries while employees contribute a mandatory rate of five percent (5%) but may make a voluntary contribution not exceeding a further five percent (5%). Pension benefits are based on contributions plus accumulated interest

The Commission's contribution to the above plan for the year amounted to \$1,641,435 (2010 -\$1,394,868 ).

3. **SIGNIFICANT ACCOUNTING POLICIES CONT'D**

(m) Pension Cont'd

In addition, the Commission contributes 25% of the pensionable salary of two employees to the Accountant General's Department. This contribution is made in order to preserve their pension rights within the Government Service. These employees do not participate in the contributory Pension Scheme administered by the life assurance company. The Commission's contribution for the year amounted to \$1,624,805 (2010 - \$1,624,805).

4. **FINANCIAL RISK MANAGEMENT**

The Commission's activities expose it to a variety of financial risks including the effects of changes in foreign currency exchange rates. The Commission sets guidelines for overall risk management including specific areas such as foreign exchange risk, interest rate risk and credit risk.

(a) Fair Value of Financial Instruments

Fair value represents estimates of the arm's length consideration that would currently be agreed between knowledgeable willing parties who are under no obligation to act and is best evidenced by a quoted market price, if one exists.

At March 31, 2011 the board of the Commission estimates that the carrying value of each class of financial instruments approximates their fair value.

(b) Interest Risk

Interest risk is the potential for economic loss due to future interest rate changes.

It arises when there is a mismatch between interest-earning assets and interest bearing liabilities which are subject to interest rate adjustment within a specified period. Deposits are held for short-term and accordingly, would reflect interest rate movements in the financial markets. There are no interest bearing liabilities.

(c) Credit Risk

Credit risk is the risk of loss arising from a counter party to a financial contract failing to discharge its obligations. The Commission manages its credit risk by a policy which requires that investment be made principally in liquid securities and only with counter parties that management believe not to offer any significant credit risk.

Based on their assessment, management do not expect any counter parties to fail to meet their obligations.

5. **TAXATION**

The Commission is exempt from income tax. Under the General Consumption Tax Act, it is entitled to acquire goods and services at a zero rate of tax.

6. PROPERTY, PLANT & EQUIPMENT

	Leasehold improvement \$	Furniture fixtures equipment \$	Computer equipment \$	Motor vehicles \$	Totals \$
Carrying amount at March 31, 2009	1	1,844,451	3,728,475	2,647,619	8,220,546
Additions	3,064,679	4,357,433	1,001,788	133,047	8,556,947
Cost eliminated on disposal	-	(1,391,846)	(2,161,549)	-	(3,553,395)
Depreciation for the Year	(612,936)	(987,314)	(1,855,484)	(688,515)	(4,144,249)
Depreciation eliminated on disposal	-	1,391,846	2,087,751	-	3,479,597
Carrying amount at March 31, 2010	2,451,744	5,214,570	2,800,981	2,092,151	12,559,446
Additions	-	1,020,755	318,557	-	1,339,312
Cost Eliminated on disposal	-	(575,055)	(25,000)	(428,000)	(1,028,055)
Depreciation for the Year	(612,936)	(1,396,167)	(2,140,408)	(688,515)	(4,838,026)
Depreciation Eliminated on disposal	-	571,034	25,000	428,000	1,024,034
Carrying amount at March 31, 2011	1,838,808	4,835,137	979,130	1,403,636	9,056,711

	Leasehold improvement \$	Furniture fixtures equipment \$	Computer equipment \$	Motor vehicles \$	Totals \$
Gross carrying amount	554,156	7,518,324	8,389,090	4,372,523	20,834,093
Accumulated depreciation	(554,155)	(5,673,873)	(4,660,615)	(1,724,904)	(12,613,547)
Carrying amount at March 31, 2009	1	1,844,451	3,728,475	2,647,619	8,220,546
Gross carrying amount	3,618,835	10,483,911	7,229,329	4,505,570	25,837,645
Accumulated depreciation	(1,167,091)	(5,269,341)	(4,428,348)	(2,413,419)	(13,278,199)
Carrying amount at March 31, 2010	2,451,744	5,214,570	2,800,981	2,092,151	12,559,446
Gross carrying amount	3,618,835	10,929,612	7,522,865	4,077,570	26,148,882
Accumulated depreciation	(1,780,027)	(6,094,475)	(6,543,735)	(2,673,934)	(17,092,171)
Carrying amount at March 31, 2011	1,838,808	4,835,127	979,130	1,403,637	9,056,711

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NOTES TO THE FINANCIAL STATEMENTS

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7.	<b>SECURITY DEPOSITS</b>	2011	2010
		\$	\$
	Rental - Building	132,883	132,883
	Maintenance - Building	72,785	72,785
		<u>205,668</u>	<u>205,668</u>
8.	<b>OTHER RECEIVABLES</b>	2011	2010
		\$	\$
	Advances & staff loans	871,139	401,795
	Sundry receivables & prepayments	211,685	253,432
		<u>1,082,824</u>	<u>655,227</u>
9.	<b>CASH AND CASH EQUIVALENTS</b>	2011	2010
		\$	\$
	Short-term deposits	214,205,354	85,701,381
	Cash in hand and at bank	4,236,839	12,261,271
		<u>218,442,193</u>	<u>97,962,652</u>

10. PAYABLES	2011	2010
	\$	\$
Audit fee	350,000	320,000
Payroll liabilities	6,962,250	6,662,768
Accounts payable	1,446,704	2,097,835
Accrued expenses	<u>2,489,563</u>	<u>2,139,563</u>
	<u>11,248,517</u>	<u>11,220,166</u>

11. CAPITAL RESERVE

Capital reserve represents the value of a 1995 Toyota Corolla motor car which was donated to the Commission by the Revenue Protection Department. During the year this asset was sold, and the reserve transferred to the accumulated fund.

12. DEFERRED CREDIT

This represent grants received to acquire fixed assets. Transfers equivalent to depreciation charged on these assets are made annually to the accumulated fund.

13. Licence fee of \$229,471,024 includes a receipt of \$50,509,143 which relates to the grant of a wireless subscriber television licence.

14. OTHER INCOME	2011	2010
	\$	\$
Application fee	200,000	50,000
Interest on fixed deposit & loans	11,143,519	12,420,262
Penalty re: licence fee	997,208	445,059
Sundry	22,072	182,874
Gain - disposal of fixed assets	<u>230,977</u>	<u>37,052</u>
	<u>12,593,776</u>	<u>13,135,247</u>

15.	<b>EXPENSES BY NATURE</b>	2011	2010
	<b>ADMINISTRATIVE AND OTHER</b>	\$	\$
	<b>OPERATING EXPENSES</b>		
	Staff emoluments (Note 16)	57,099,500	53,773,402
	Rental & maintenance of property (Note 17)	12,410,314✓	12,722,890
	Auditors remuneration	350,000	320,000
	Depreciation	4,838,026✓	4,144,249
	Office & sundry supplies	204,815	241,574
	Printing, stationery & photocopying	970,943	615,183
	Repairs & maintenance	547,713✓	799,429
	Insurance	249,467	414,394
	Subscriptions & membership fee	642,383	213,305
	Professional & consultancy services	818,885✓	9,107,977
	Refreshments	307,030	263,427
	Public relations, education & advertising	21,689,303✓	9,125,708
	Seminars, workshop, consultation	4,966,214	99,822
	Motor vehicle expenses	848,199✓	906,740
	Postage & courier	127,934	57,913
	Plant rental & floral arrangements	67,500	61,875
	Bank charges	192,201✓	148,078
	Monitoring & enforcement	1,781,450✓	1,156,656
	Reference materials	154,861	236,246
	Meetings & conferences - local	110,971	327,904
	Regional conferences	2,515,272	-
	Conferences - overseas	446,988	238,306
	Telephone & internet services	2,173,925✓	1,923,233
	Commissioners fee	1,020,000	1,020,000
	Gifts & donations	222,080	-
	Training	2,155,489✓	429,104
	Office attendant services	489,908	469,910
	Security	288,062	389,101
	Contribution to consolidated fund	-	2,139,563
		<u>117,689,433</u>	<u>101,345,989</u>

16.	<b>STAFF EMOLUMENTS</b>	2011	2010
		\$	\$
	Salaries	46,299,355	41,105,468
	Contributions to NIS & NHT	1,903,816	1,678,921
	Supper allowance	1,100	20,520
	Pension & group life contributions	3,725,238	3,259,763
	Motor vehicle & commuted allowances	4,000,480	3,874,915
	Gratuity	870,030	-
	Vacation leave benefits	299,481	3,833,815
		<u>57,099,500</u>	<u>53,773,402</u>
17.	<b>RENTAL &amp; MAINTENANCE OF PROPERTY</b>	2011	2010
		\$	\$
	Building	11,078,314	11,390,890
	Parking space	<u>1,332,000</u>	<u>1,332,000</u>
		<u>12,410,314</u>	<u>12,722,890</u>