



MONITORING & COMPLIANCE REPORT

JANUARY – MARCH
2015



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EXECUTIVE SUMMARY
BCJ- Quarterly Monitoring & Compliance Report
(January – March 2015)

During the period January – March 2015, nine (9) Notices of Breach of Licence were issued to two (2) broadcast radio licensees, and seven (7) to subscriber television licensees. There was a decrease of one (1) when compared with the previous quarter, October – December 2014.

One hundred and eleven (111) contacts were recorded for the period January – March 2015. Of this number, six (6) were complaints, which resulted in investigations of broadcast radio and television operators. One hundred and five (105) were queries and comments about other operational issues pertaining to licensed operators and the work of the Commission.

All six (6) complaints were matters relating to content standards. There was no change when compared with the previous quarter, October – December 2014.

Five (5) subscriber television licensees were inspected during the period under review, to determine their compliance with technical standards.

In relation to the payment of the annual licence fee, sixteen (16) subscriber television (STV) operators, or 38% of all licensees paid in full; eleven (11) or 26% made partial payments and fifteen (15) or 36% were non-compliant. There was an increase of three (3), in the number of full payments recorded when compared to the previous quarter. The number of licensees who made partial payments was decreased by one (1) however; there was no change in the number of non-compliant licensees.

INTRODUCTION

Contacts with the Commission

One hundred and eleven (111) contacts were recorded for the period, January – March 2015. There were six (6) investigations and nine (9) Notices of Breach of Licence.

BREAKDOWN OF CONTACTS

	January 2015	February 2015	March 2015	TOTAL
Queries, Requests and Reports:				
Licence Application process	5		1	6
Zoning and contact information for STV		1	2	3
Complaints Received and Investigated	1	4	1	6
Matters concerning exclusive rights	4	3	4	11
Perceived Homosexual Acts during the 'Empire'		2	1	3
Perceived Homosexual acts during 'Good Wife and the Boss	8		1	9
Commission's role in vetting programmes prior to Broadcast	2			2
Commission's role in Regulating rebate	1		1	2
Other operational issues (with the exception of those indicated above)	5	32	32	69
TOTAL	26	42	43	111

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated six (6) complaints relating to the broadcast of problematic content. There were no changes when compared to the preceding period October - December 2014.

Table 1 details the complaints investigated relating to programming standards between January to March 2015 and the nature of the investigations conducted by the Commission.

Figure 1 illustrates the trend in programming standard complaints investigated in similar reporting periods since 2012.

Table 1

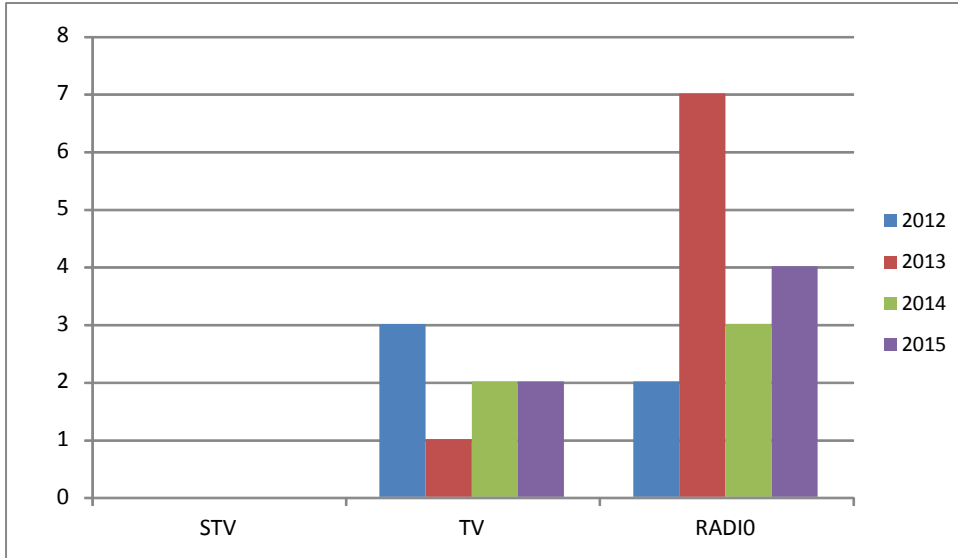
Content Standards Complaints Investigated: January - March 2015

	Transmission of expletive during outside broadcast	Transmission of expletive during a song	Transmission of sexual explicit images during drama series Empire.	Transmission of adult material prior to watershed	Transmission of violent lyrics during song	Transmission of sexual suggestive lyrics during song	TOTAL
CVM				1			1
Fame 95 FM		1			1	1	3
Grove Broadcasting (ZIP 103 FM)	1						1
Television Jamaica Limited			1				1
TOTAL	1	1	1	1	1	1	6

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

Figure 1:

CONTENT STANDARD COMPLAINTS INVESTIGATED
Trends for Quarter (January - March) from 2012 to 2015



	2012	2013	2014	2015
STV	0	0	0	0
TV	3	1	2	2
RADIO	2	7	3	4

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

The facilities of five (5) subscriber television operators were inspected to determine their compliance with the technical standards set out in law.

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

Table 2: Technical Monitoring: January – March 2015

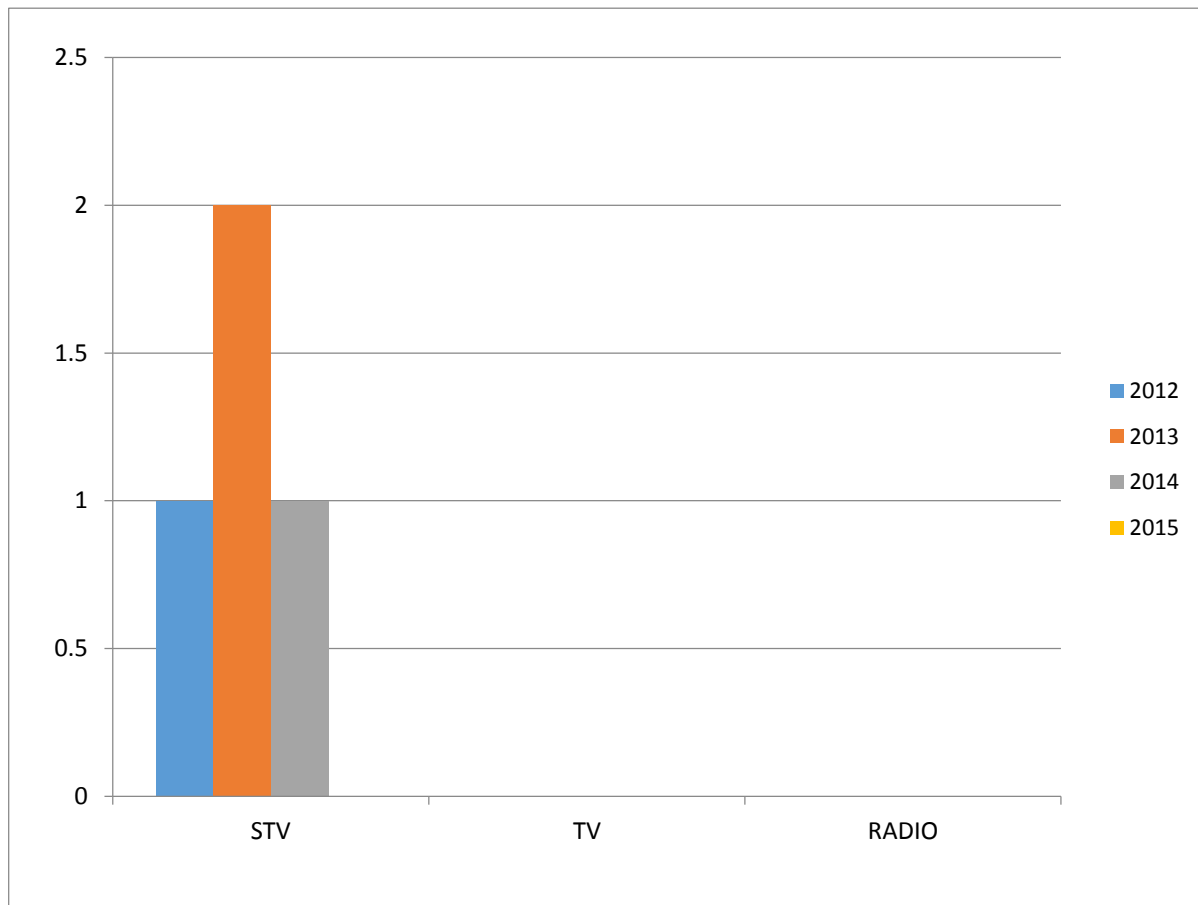
	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Astra Technology Limited	15(a), 17(1)(b), 17(4)(d), 17(4)(e) Breach of Licence (1)	Breach Letter dated March 30, 2015 sent to licensee.
2.	Central Communications Services Ltd.	17(1)(h), 17(1)(b) 17(4)(e)	Breach Letter dated March 5, 2015 sent to licensee.
3.	QES 46	17(4)(d), 17(4)(e), 17(1)(h), Breach of Licence [1] Breach of Licence (2)	Breach Letter dated April 28, 2015 sent to licensee.
4.	Stars Cable Company Ltd.	17(4)(d) 17(4)(e), 17(1)(h),	Breach Letter dated March 30, 2015 sent to licensee.
5.	Westar Communications Ltd.	16(1), 17(1)(h), 17(4)(d), 17(4)(e), Breach of Licence (2)	Breach Letter dated March 30, 2015 sent to licensee.

TECHNICAL COMPLAINTS INVESTIGATIONS

For the period under review, there was no complaint relating to the technical quality of subscriber television service. The preceding period, October– December 2014, also had no complaints.

Figure 2 illustrates the trend in technical standard complaints received in similar reporting periods since 2012.

Figure 2
TECHNICAL STANDARDS REPORT
Trends for Quarter (January – March) from 2012 to 2015



	2012	2013	2014	2015
STV	1	2	1	0
TV	0	0	1	0
RADIO	0	0	0	0

COMPLAINTS RESOLUTION

Except for matters that fall outside of the Commission's mandate, all reports of possible breaches of licence are investigated. As soon as investigations are completed, the complainants and the relevant licensees are notified of the outcome, and the Commission considers the matter resolved.

One (1) investigation was resolved between January and March, 2015.

Table 3
Resolution of Complaints by Licensee Type

	No. of investigated complaints resolved
Subscriber Television	-
Broadcast Television	
Broadcast Radio	1
Total	1

Table 4
Resolution of Complaints by Category

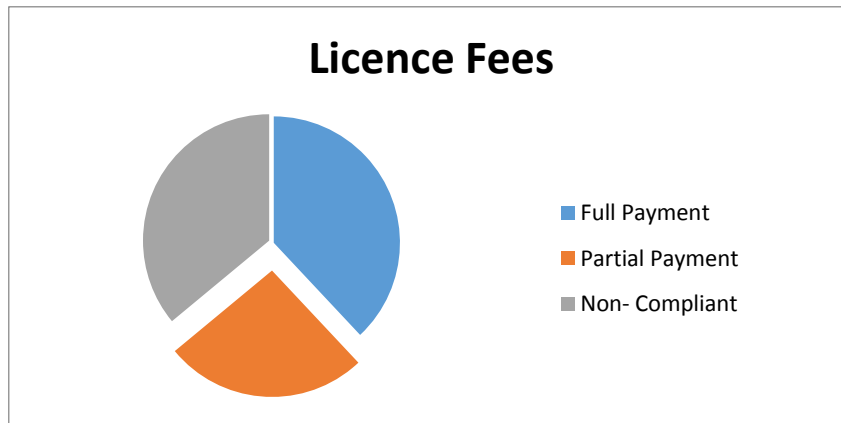
CATEGORY		TOTAL
<p>Closed - Complied with required remedial action for breach of licence</p> <ul style="list-style-type: none"> • Broadcast Radio • Broadcast Television <p>Closed – No Evidence of Breach</p> <ul style="list-style-type: none"> • Broadcast Radio • Broadcast Television 	<p align="center">1</p>	<p align="center">1</p>
Total	1	1

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 3**.

Figure 3



Full Payment	- 38%
Partial Payment	- 26%
Non- Compliant	- 36%

**Table 5 -STV Licensees Financial Compliance
For quarter ended March, 2015**

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2010	2011	2012	2013	2014	Paid in Full	Partial Payment	Non-Compliant
1	Astra Technology Ltd.	yes	yes	yes	yes	no	✓		
2	Cable One Jamaica Ltd. yes	yes	yes	yes	no	no			✓
3	Cabletron Network Systems Ltd.	yes	yes	yes	no	no			✓
4	Central Clarendon Cable Ltd.	n/a	n/a	n/a	n/a	n/a			✓
5	Central Communication Services Ltd.	yes	yes	yes	yes	no	✓		
6	Columbus Communications - FLOW	yes	yes	yes	yes	no	✓		
7	Combined Communications Ltd.	no	yes	yes	yes	no		✓	
8	Communicable Ltd.	no	no	no	no	no		✓	
9	Cornwall Communications Ltd.	yes	yes	yes	yes	no		✓	
10	CTL Limited	yes	yes	yes	yes	no	✓		
11	Direct Cable Systems Ltd.	no	no	no	no	no			✓
12	First Choice Cable	yes	yes	yes	no	no	✓		
13	General Satellite Network Company	yes	yes	yes	yes	no	✓		
14	Guthrie's Communications Ltd	yes	yes	yes	yes	no			✓
15	Inntech Communications Ltd.	yes	yes	yes	yes	no	✓		
16	Jamaica Cablevision Ltd.	yes	yes	yes	no	no	✓		
17	Linscom Network Limited	yes	yes	yes	yes	no		✓	
18	Logic One Limited	yes	yes	yes	yes	no	✓		
19	Marimaxx Communications Ltd.	no	no	no	no	no	✓		
20	Mars Cable Vision Ltd.	yes	yes	yes	no	no		✓	
21	McKoy Cable Television Co. Ltd.	yes	no	yes	yes	no		✓	
22	Mega International Co. Ja. Ltd.	no	no	no	no	no			✓
23	Mikes Electronics & Cable Network Ltd.	no	no	no	no	no			✓

STV Licensees Financial Compliance
For quarter ended March, 2015 cont'd.

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2010	2011	2012	2013	2014	Paid in Full	Partial Payment	Non-Compliant
24	Modern Re-Broadcasting Co. Ltd.	yes	yes	yes	no	no	✓		
25	Network Cable Service	n/a	n/a	n/a	n/a	no	✓		
26	Odyssey Cable Vision Limited	yes	yes	no	yes	no	✓		
27	QES 46 Limited	no	yes	yes	yes	no		✓	
28	Quality Cable Service	n/a	n/a	n/a	no	no			✓
29	Santastic Cable Systems Ltd.	yes	yes	yes	yes	no		✓	
30	Silly Video Cable Network Limited	yes	yes	yes	yes	no	✓		
31	Somane Pesole Communications Ltd.	n/a	n/a	n/a	n/a	n/a			✓
32	Starcom Cablevision Ltd.	yes	yes	yes	yes	no			✓
33	Stars Cable Company Ltd.	yes	yes	yes	yes	no			✓
34	St. Thomas Cable Network Limited	yes	yes	yes	yes	no		✓	
35	Summit Satellite Systems Limited	yes	yes	yes	yes	no			✓
36	Telstar Cable Limited	yes	yes	yes	yes	no	✓		
37	Total Cable	yes	no	yes	yes	no			✓
38	Tru Star Cable Television Network	yes	yes	yes	yes	no		✓	
39	Unique Vision Cable Co. Ltd.	no	no	no	no	no	✓		
40	Venus Cable Services	no	no	no	no	no			✓
41	Westar Communications Limited	no	no	no	no	no		✓	
42	Wilson Enterprises Limited	yes	yes	yes	yes	no			✓

NOTICES OF BREACH

During the period under review, nine (9) Notices of Breach were issued to licensees, two (2) of these notices arose from contravention of Content Standards and seven (7) arose from contravention of Technical Standards.

Figure 4
TREND IN BREACHES COMMITTED (BY SERVICE)



	2012	2013	2014	2015
STV	0	7	4	7
TV	0	0	1	0
RADIO	2	2	2	2

Table 6

BREACHES BY LICENSEES

BREACHES BY BROADCAST RADIO LICENSEES

GROVE BROADCASTING CO.LIMITED (ZIP 103 FM)

DATE OF BREACH: February 11, 2015
COMPLAINT NUMBER: 2014111900
NATURE OF COMPLAINT: Transmission of content containing violent lyrics.
NATURE OF BREACH: Breach of the TSBR & the Code.
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Licensee directed to transmit apology. Licensee complied
STATUS: Closed

RADIO JAMAICA LIMITED (FAME 95 FM)

DATE OF BREACH: February 11, 2015
COMPLAINT NUMBER: 2015010600
NATURE OF COMPLAINT: Transmission of content containing violent lyrics.
NATURE OF BREACH: Breach of the TSBR & the Scheduling requirements of the Code.
COMMISSION DECISION: Breach of Licence
REMEDIAL ACTION: Licensee directed to transmit apology.
STATUS: Closed

TECHNICAL BREACHES BY SUBSCRIBER TELEVISION LICENSEES

JAMAICA CABLEVISION LIMITED

DATE OF BREACH: January 21, 2015
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

TOTAL CABLE LIMITED

DATE OF BREACH: January 21, 2015
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

ST. THOMAS CABLE NETWORK LIMITED

DATE OF BREACH: January 21, 2015
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

CENTRAL COMMUNICATIONS LIMITED

DATE OF BREACH: March 2, 2015
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

ASTRA TECHNOLOGY LIMITED

DATE OF BREACH: March 30, 2015
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

STARS CABLE COMPANY LIMITED

DATE OF BREACH: March 30, 2015
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
STATUS: Open

WESTAR COMMUNICATIONS LIMITED

DATE OF BREACH: March 30, 2015
NATURE OF BREACH: Failure to maintain technical standards
COMMISSION DECISION: Licence in breach
REMEDIAL ACTION: Licensee given deadline to address breaches
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.