



# The New Zealand Gazette

WELLINGTON: THURSDAY, 13 OCTOBER 1988

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## Using the Gazette

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Notices are accepted for publication in the next available issue, unless otherwise specified.

Notices being submitted for publication must be a reproduced copy of the original. Dates, proper names and signatures are to be shown clearly. A covering instruction setting out requirements must accompany all notices.

Copy will be returned unpublished if not submitted in accordance with these requirements.

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159 Hereford Street, Christchurch.

Government Building, 1 George Street, Palmerston North.

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### Other issues of the Gazette:

*Commercial Edition*—published weekly on Wednesdays.

*Customs Edition*—Published weekly on Tuesdays.

Special Editions and Supplements—Published as and when required.

## Vice Regal

### Return of the Governor-General from Overseas

His Excellency the Governor-General, the Most Reverend Sir Paul Reeves, G.C.M.G., G.C.V.O., accompanied by Her Excellency Lady Reeves, returned to Auckland at 8.30 a.m. on Wednesday, 12 October 1988 from Britain at the conclusion of mid-term leave from the Vice Regal Office.

His Excellency has now resumed the performance of all the functions of the Office of Governor-General. Accordingly, the

Chief Justice of New Zealand, the Right Honourable Sir Ronald Davison, G.B.E., C.M.G., has relinquished Office as the Administrator of the Government.

PAUL CANHAM, Official Secretary.

Government House, Wellington.  
vr11426

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## Government Notices

### Agriculture and Fisheries

#### Pesticides Act 1979

##### Appointment of Member to the Pesticides Board (No. 4470; Ag. 1/53/2/1)

Notice is hereby given by direction of the Minister of Agriculture that pursuant to section 12 of the Pesticides Act 1979, His Excellency the Administrator of the Government has been pleased to appoint

John Borich, orchardist of Kumeu (on the nomination of the New Zealand Fruitgrowers Federation)

as member of the Pesticides Board for a period of 3 years from 18 August 1988.

Dated at Wellington this 6th day of October 1988.

L. M. RADICH,  
for Director-General Agriculture and Fisheries. 2  
go11371

### Crown Law Office

#### Appointment of Crown Solicitor

His Excellency the Administrator of the Government has been pleased to appoint:

Phillip Wayne Cooper, barrister of Gisborne  
to be Crown Solicitor at Gisborne.

Dated at Wellington this 28th day of September 1988.

GEOFFREY PALMER, Attorney-General. 2  
go11270

### Member of Council of Legal Education Appointed

Pursuant to the Law Practitioners Act 1982, His Excellency the Administrator of the Government has been pleased to appoint:

The Honourable Muir Fitzherbert Chilwell, a Judge of the High Court

to be a member of the Council of Legal Education for a term of 3 years commencing on the 7th day of October 1988.

Dated at Wellington this 29th day of September 1988.

GEOFFREY PALMER, Attorney-General. 2  
go11269

### Customs

#### Customs Act 1966

##### Application to the Indecent Publications Tribunal

I, Graeme William Ludlow, Assistant Comptroller of Customs, give notice that I have applied to the Indecent Publications Tribunal for a declaration as to whether the books described below are indecent or not or for a decision as to their classification.

1. Title: *Friction*, November 1988; Publisher: Liberation Publications.

2. Title: *The Best Colt Men*, Issue No. 1; Publisher: Colt Studio.

3. Title: *Gem*, November 1988, Vol. 30, No. 3; Publisher: G. & S. Publications.

4. Title: *Improvised Rocket Motors*; Publisher: Desert Publications.

G. W. LUDLOW, Assistant Comptroller of Customs. 2  
go11264

## Defence

### Defence Act 1971

#### Appointments, Promotions, Extensions, Transfers, Resignations, and Retirements of Officers of the New Zealand Army

Pursuant to section 35 of the Defence Act 1971, His Excellency the Administrator of the Government has approved the following appointments, promotions, extensions, transfers, resignations, and retirements of officers of the New Zealand Army.

#### REGULAR FORCE

##### *Appointments to Commission*

The following are appointed to commissions in the rank of Lieutenant and Quartermaster, with seniority from 9 June 1986 and effect from 4 July 1988; terminating on the date shown:

Warrant Officer Class I Alan Howard Chambers, The Corps of Royal N.Z. Electrical and Mechanical Engineers, 23 October 1995.

Temporary Warrant Officer Class I Timothy Hopkins, D.P.H., Royal N.Z. Army Medical Corps, 6 December 1998.

Warrant Officer Class I Owen Rutherford Lloyd, Royal N.Z. Corps of Transport, 10 February 1996.

Warrant Officer Class I Grahame Swinford Loveday, Royal N.Z. Army Ordnance Corps, 17 March 1998.

Temporary Warrant Officer Class I Allan MacGibbon, The Corps of Royal N.Z. Electrical and Mechanical Engineers, 19 August 1997.

Warrant Officer Class I Craig Roy Nickerson, The Corps of Royal N.Z. Electrical and Mechanical Engineers, 19 February 1998.

Warrant Officer Class I William Ernest Rawiri, B.E.M., N.Z. Intelligence Corps, 3 April 1998.

##### *Royal Regiment of N.Z. Artillery*

Lieutenant Colonel Angus James Rivers is transferred to the Army Reserve, General List of Officers, in his present rank with effect from 26 August 1988.

Lieutenant Colonel J. S. Heard is re-engaged until 25 April 1998.

Major Andrew George Hatt, E.D., B.C.A., is transferred from the Territorial Force on a fixed engagement of 5 years in his present rank, with seniority from 20 December 1987 and effect from 1 August 1988.

Temporary Captain and Quartermaster A. A. Mitchell is transferred to the Supernumerary List with effect from 8 June 1988.

Lieutenant B. J. Lyons to be temporary Captain with effect from 12 August 1988.

##### *Royal N.Z. Armoured Corps*

Lieutenant Colonel R. K. Storey, DIP.ARTS(MIL.), to be temporary Colonel with effect from 25 July 1988.

##### *The Corps of Royal N.Z. Engineers*

Captain and Quartermaster E. W. Bruce, M.B.E., N.Z.C.B., is transferred to the Special List in the rank of temporary Major, with seniority from 1 July 1984 and effect from 1 July 1988.

##### *Royal N.Z. Corps of Signals*

Temporary Major A. F. Birch to be Major with seniority and effect from 30 July 1988.

Captain C. P. Richardson, B.A.(MIL.), to be acting Major with effect from 4 July 1988.

Lieutenant K. S. Cooke to be temporary Captain with effect from 7 July 1988.

##### *Royal N.Z. Infantry Regiment*

Acting Colonel J. S. Harman relinquishes the acting rank of Colonel with effect from 23 August 1988.

Temporary Major J. Mateparae to be Major with seniority and effect from 11 August 1988.

Temporary Major E. Bright, M.M., is transferred to the Supernumerary List with effect from 11 March 1988.

Acting Major R. S. Campbell to be temporary Major with effect from 17 July 1988.

Captain Pae-pae Tiriki Wiki is transferred to the Army Reserve, General List of Officers, in his present rank with effect from 2 August 1988.

Lieutenant B. J. McLaughlan, LL.B., to be temporary Captain with effect from 12 August 1988.

##### *Supernumerary List*

The engagement of Captain and Quartermaster L. J. Johnson is extended until 31 May 1990.

##### *Royal N.Z. Corps of Transport*

###### *Colonel Commandant*

Brigadier T. J. Leighs, C.B.E., E.D.\*\*, Retired List, is appointed Colonel Commandant, Royal N.Z. Corps of Transport, with effect from 1 September 1988, for a period of 4 years terminating on 31 March 1992, *vice* Lieutenant Colonel R. J. Walton, C.M.G., O.B.E., Q.P.M., E.D.\*, Retired List.

Lieutenant T. B. Cameron to be temporary Captain with effect from 11 July 1988.

##### *Supernumerary List*

The engagement of Captain and Quartermaster G. R. Waaka, M.B.E., is extended until 12 February 1994.

##### *Royal N.Z. Army Ordnance Corps*

Major Joseph Seymour Bolton is transferred to the Army Reserve, General List of Officers, in his present rank with effect from 30 July 1988.

Sergeant Wayne Peter Boustridge is appointed to a commission in the rank of 2nd Lieutenant, with seniority from 21 December 1987 and effect from 8 July 1988.

##### *Supernumerary List*

The engagement of Major H. C. Zahir is extended until 31 October 1993.

##### *The Corps of Royal N.Z. Electrical and Mechanical Engineers*

Lieutenant M. T. Williams to be temporary Captain with effect from 8 June 1988.

Temporary Captain and Quartermaster Maurice John Alderwick is posted to the Retired List in the rank of Captain and Quartermaster, with effect from 24 August 1988.

##### *Supernumerary List*

The engagement of Major and Quartermaster B. J. Manley is extended until 31 August 1991.

Temporary Major and Quartermaster D. J. Mowat, M.B.E., to be Major and Quartermaster with seniority from 9 January 1988 and effect from 22 July 1988.

**Royal N.Z. Dental Corps**

Temporary Major and Quartermaster K. M. Flanagan is transferred to the Supernumerary List with effect from 7 May 1987.

Lieutenant T. C. Tyson to be temporary Captain with effect from 22 August 1988.

**Royal N.Z. Chaplains' Department**

Chaplain Class IV Kim Francis, (Presbyterian), is posted to the Retired List with effect from 1 August 1988.

**N.Z. Army Pay Corps**

Temporary Warrant Officer Class I Ruthven Scott Blair Kerr is appointed to a commission in the rank of Lieutenant, with seniority from 9 June 1987, effect from 4 July 1988 and is re-engaged until 11 April 2002.

**Royal N.Z. Military Police**

Warrant Officer Class I John Gibbs Blaker is appointed to a commission in the rank of Lieutenant (*temp.* Captain) and Quartermaster, with seniority from 1 October 1985 and effect from 4 July 1988.

**Royal N.Z. Army Education Corps**

Temporary Major P. I. Johnston, M.A., to be Major with seniority and effect from 12 July 1988.

The seniority of temporary Captain James Randal Norgate is post-dated to 2 January 1986, and he resigns his commission with effect from 13 August 1988.

Lieutenant Andrea Kim Mulligan, B.SC. (HONS), resigns her commission with effect from 1 August 1988.

**Royal N.Z. Nursing Corps**

Temporary Captain Anita Rose Nearey is posted to the Retired List in the rank of Captain, with effect from 20 August 1988.

Temporary Captain Anne Maureen Collins, DIP.N., is transferred from the Territorial Force on a fixed engagement of 3 years in her present rank, with seniority from 8 February 1985 and effect from 8 August 1988.

The following Lieutenants to be temporary Captain with effect from the date shown:

P. E. Humphrey, 8 August 1988.

B. K. Skedden, 20 June 1988.

Gerard Paul Wood is appointed to a commission on a fixed engagement of 3 years in the rank of Lieutenant, with seniority and effect from 18 July 1988.

**TERRITORIAL FORCE****Royal Regiment of N.Z. Artillery****3rd Field Regiment, RNZA**

Temporary Captain C. B. Diedrichs to be Captain with seniority from 23 February 1988 and effect from 23 May 1988.

Lieutenant Terrence Patrick McLaughlin resigns his commission with effect from 19 May 1988.

Lieutenant G. L. Payne to be temporary Captain with effect from 1 April 1988.

Patrick John Duggan is appointed to a commission in the rank of Lieutenant, with seniority from 6 March 1985 and effect from 14 April 1987.

Lieutenant Patrick John Duggan resigns his commission with effect from 16 March 1988.

**The Corps of Royal N.Z. Engineers****1st Field Squadron, RNZE**

Lieutenant J. G. Ecroyd to be Captain with seniority from 31 March 1985 and effect from 20 June 1988.

**6th Engineer Service Squadron, RNZE**

2nd Lieutenant P. H. Box to be Lieutenant with seniority and effect from 9 March 1988.

**Royal N.Z. Corps of Signals****1st Task Force Signals Squadron, RNZ Sigs**

2nd Lieutenant C. B. Coles, B.A., to be Lieutenant with seniority and effect from 14 March 1988.

**Royal N.Z. Infantry Regiment****2nd Battalion (Canterbury and Nelson, Marlborough and West Coast), RNZIR**

Lieutenant S. P. Watts to be temporary Captain with effect from 25 February 1988.

2nd Lieutenant T. D. West is transferred to the Regular Force with effect from 7 January 1988.

**3rd Battalion (Auckland (Countess of Ranfurly's Own) and Northland), RNZIR**

Honorary Lieutenant J. E. Morton, B.MUS.(HONS), to be Honorary Captain with effect from 1 June 1988.

Lieutenant W. D. Mapp, LL.M., to be temporary Captain with effect from 1 June 1988.

Blake William Herbert is appointed to a commission in the rank of Lieutenant, with seniority from 12 February 1988 and effect from 2 May 1988.

**5th Battalion (Wellington West Coast and Taranaki), RNZIR**

2nd Lieutenant K. P. Daly to be Lieutenant with seniority from 13 January 1988 and effect from 27 May 1988.

**6th Battalion (Hauraki), RNZIR**

Jonathan William Dick is appointed to a commission in the rank of Lieutenant, with seniority and effect from 14 June 1988.

**7th Battalion (Wellington (City of Wellington's Own) and Hawkes Bay), RNZIR**

Temporary Captain S. J. Gibson to be Captain with seniority from 15 November 1987 and effect from 22 April 1988.

**Royal N.Z. Corps of Transport****1st Transport Squadron, RNZCT**

Lieutenant K. P. Brown, B.COM., to be temporary Captain with effect from 24 June 1988.

**3rd Transport Squadron, RNZCT**

Lieutenant B. K. Reed to be temporary Captain with effect from 6 January 1988.

**Royal N.Z. Army Medical Corps**

Temporary Major M. J. Short, M.B., CH.B., DIP.OBST., to be Major with seniority from 10 November 1987 and effect from 1 April 1988.

**1st Medical Battalion, RNZAMC**

2nd Lieutenant J. J. Atkinson to be Lieutenant with seniority and effect from 9 March 1988.

**2nd (GH) Field Hospital, RNZAMC**

Captain Euan Malcolm Galloway, E.D., B.PHARM., is transferred to the Army Reserve, General List of Officers, in his present rank with effect from 14 February 1987.

The following are appointed to commissions in the rank of Lieutenant, with seniority and effect from 20 February 1987:

James Josephs, D.P.H.

Neil Riddle.

**3rd Medical Battalion, RNZAMC**

The following are posted to the Retired List with effect from the date shown:

Captain Alan John David Gillies, M.B., CH.B., F.R.A.C.P., 22 February 1988.

Captain Stephen James Faulkner, M.B., CH.B., DIP.OBST., 18 February 1988.

Captain Christopher Hartley, M.B., CH.B., 18 February 1988.

Temporary Captain Nigel Graeme Anderson, M.B., CH.B., 18 February 1988 (in the rank of Captain).

2nd Lieutenant Nicholas Ivanov Andreef, 18 February 1988.

2nd Lieutenant S. Jackson to be Lieutenant with seniority and effect from 9 March 1988.

### ***The Corps of Royal N.Z. Electrical and Mechanical Engineers***

#### *3rd Field Workshop, RNZEME*

Captain G. A. Moffat, e.d., to be temporary Major with effect from 22 March 1988.

### ***Royal N.Z. Army Education Corps***

Ion George Brown is appointed to a commission in the rank of Major, with seniority and effect from 15 February 1988.

### ***Royal N.Z. Nursing Corps***

Temporary Captain A. M. Collins, DIP.N., is transferred to the Regular Force with effect from 8 August 1988.

The following are appointed to commissions in the rank of Lieutenant, with seniority from the date shown, and effect from 20 February 1988:

Bridget Angela Baldwin, 20 February 1988.

Katrina Thompsett, 20 August 1987.

### ***Extra Regimental Employment***

#### *Headquarters Land Force Command*

Major A. G. Hatt, E.D., B.C.A., RNZA, is transferred to the Regular Force with effect from 1 August 1988.

#### *Headquarters 1st Task Force*

Temporary Captain D. H. Smith to be Captain with seniority and effect from 6 March 1988.

### **ARMY RESERVE**

Captain John Michael Richardson, RNZIR (T/F), is appointed to the Special Service List of the Army Reserve, in the rank of Captain with effect from 22 August 1988, terminating on 21 August 1990.

### ***General List of Officers***

The following are posted to the Retired List with effect from the date shown:

#### *Royal Regiment of N.Z. Artillery*

Lieutenant Colonel Robert John Sutherland Munro, B.S.C., DIP.MIL.STUD.(SC.), LL.B., 22 September 1988.

#### *The Corps of Royal N.Z. Engineers*

Captain Edward Sayers Ludbrook, B.A., 15 June 1988.

#### *Royal N.Z. Dental Corps*

Captain Sunil Kumara Liyanaduwa Hettige, B.D.S., 5 August 1988.

### **RETIRED LIST**

The following are granted the honorary rank of Colonel in recognition of their significant contribution to the New Zealand Army:

Lieutenant Colonel R. J. Walton, C.M.G., O.B.E., Q.P.M., E.D.\*, RNZCT.

Major J. T. Shaw, E.D., RNZIR.

Dated at Wellington this 3rd day of October 1988.

R. J. TIZARD, Minister of Defence.

go11267

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## **Education**

### **Private Schools Conditional Integration Act 1975**

#### **Private Schools Conditional Integration Act 1975**

Pursuant to section 10 of the Private Schools Conditional Integration Act 1975, notice is given that supplementary integration agreements have been signed between the Minister of Education and the proprietors of the following 24 schools:

St Joseph's School, Opunake.

St Joseph's School, New Plymouth.

St Joseph's School, Dannevirke.

St Mary's School, Wanganui.

St Matthew's School, Marton.

St Patrick's School, Kaiapoi.

St Joseph's School, Taihape.

St Mary's School, Palmerston North.

St Joseph's School, Feilding.

St Joseph's School, Hastings.

St Patrick's School, Napier.

St Anne's School, Wanganui.

St Joseph's School, Wairoa.

Reignier School, Taradale.

St Pius X School, New Plymouth.

Marcellin School, Wanganui.

Our Lady of Lourdes Primary School, Palmerston North.

St Joseph's School, Waitara.

St Patrick's School, Inglewood.

St Anne's School, Woolston.

Our Lady of the Rosary School, Waiwhetu.

Marist-Holy Cross School, Miramar.

Sacred Heart, Petone.

Sacred Heart School, Guildford Terrace, Wellington.

The said supplementary integration agreements came into effect in January 1987. Copies of the supplementary integration agreements are available for inspection without charge by any member of the public at the Department of Education, Head Office, National Mutual Building, Featherston Street, Wellington, and at regional offices.

Dated at Wellington this 5th day of October 1988.

C. HENSHILWOOD,  
for Director-General of Education.

go11265

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## **Energy**

### **Mining Act 1971**

#### **Endowment Land to be Brought Within the Operations of the Mining Act 1971**

Whereas, by notice dated the 10th day of July 1979, and published in the *New Zealand Gazette*, 1879, Volume II, page 953, His Excellency the Governor in Council by the powers and authority vested in him under section 350 of "The Municipal Corporations Act 1876", did order that land including the land described in the Schedule hereto be

reserved out of the waste lands of the Provincial District of Westland, for the purpose of granting the same to the Corporation of the Borough of Greymouth.

And whereas, the Greymouth Borough Council has consented to part of the said land being that part described in the Schedule hereto, being brought within the provisions of the Mining Act 1971, subject to the following condition:

That the land be brought within the provisions of the Mining Act 1971 for the duration of prospecting licence No. 31 2014 and additionally:

(a) for the duration of any renewal of that prospecting licence issued pursuant to section 50 of the Act; and,

(b) for the duration of any mining licence granted to the holder of prospecting licence 31 2014 or the renewal of that prospecting licence where the applicant retains priority pursuant to the application of section 57 (A) of the Act; and,

(c) for the duration of any renewal of any mining licence issued pursuant to (b) above where the applicant retains priority pursuant to the application of section 77 (2) of the Act.

Consequent on receiving such consent, the Minister of Energy

pursuant to section 28 of the Mining Act 1971, hereby gives notice that the endowment land described in the Schedule hereto is hereby subject to the provisions of the Mining Act 1971 and will remain so for the period determined by the conditions set out above by the Greymouth Borough Council.

While this notice remains in force, the provisions of the Mining Act 1971 shall apply to the land described herein as if the said land were Crown land open for mining. This notice is issued for the purposes of granting prospecting licence 31 2014 over the said land described in the Schedule hereto.

### Schedule

All that parcel of land containing 103.5716 hectares, more or less, situated in Block IV, Hohonu Survey District, being Lot 1 on Deposited Plan 426 and being part of the land comprised and described in certificate of title, Volume 3C, folio 251, Westland Registry.

Dated at Wellington this 26th day of September 1988.

R. J. TIZARD, for D. J. BUTCHER, Minister of Energy. 1  
go11159

## Internal Affairs

### Films Act 1983

#### Chief Censor's Decisions: 1–31 August 1988

Pursuant to section 21 of the Films Act 1983, the entries in the Register for the above period are hereby published.

#### Key to Decisions

G—Approved for general exhibition.

GY—Approved for general exhibition: recommended as more suitable for persons 13 years of age and over.

GA—Approved for general exhibition: recommended as more suitable for adults.

G\*—Approved for general exhibition: . . . . . (as specified).

R(age)—Approved for exhibition: only to persons . . . . . years of age and over (as specified).

RP(age)—Approved for exhibition: only to persons . . . . . years of age and over and to any person under that age when accompanied by that person's parent or guardian.

R\*—Approved for exhibition only . . . . . (as specified).

Ex—Exempted from examination and approved for exhibition . . . . . (with any conditions as specified).

#### Schedule

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge	Running Time Minutes	Reason for Refusal, Excisions, or Alterations	Decision and Cert. No.	Country of Origin	Remarks
<b>1 August 1988</b>									
New Zealand Federation of Film Societies	Bertrand Tavernier	DEATHWATCH	1	16 mm	130.0		GA	France	French dialogue, English subtitles.
New Zealand Federation of Film Societies	Raoul Ruiz	LES TROIS COURONNES DU MATELOT	1	16 mm	122.5		GA	France	French dialogue, English subtitles.
New Zealand Federation of Film Societies	Jean-Luc Godard	PRENOM CARMEN	1	16 mm	84.0		R 18	France	French dialogue, English subtitles.
<b>2 August 1988</b>									
Kerridge Odeon Film Distributors	Cannon Group	Braddock: Missing in Action III (T) (No. 1)	15	35 mm	1.5		GA	U.S.A.	
United International Pictures	John Huston	CASABLANCA	1	35 mm	91.0		GY	U.S.A.	New applicant.
United International Pictures	Howard Deutch	THE GREAT OUTDOORS	1	35 mm	92.0		GY	U.S.A.	
Japan Information and Cultural Centre, Embassy of Japan	Kichitaro Negishi	THE HOURS OF WEDLOCK	1	16 mm	106.0		GA	Japan	Japanese dialogue, English subtitles.
<b>3 August 1988</b>									
New Zealand Federation of Film Societies	Aline Issermann	JULIETTE'S DESTINY	1	16 mm	114.0		GA	France	Censor's note: Content may disturb. French dialogue, English subtitles.
<b>4 August 1988</b>									
Embassy of the Federal Republic of Germany	Pina Bausch	CAFE MULLER	1	VHS	51.0		G	West Germany	No dialogue.
<b>8 August 1988</b>									
United International Pictures	John Landis	COMING TO AMERICA	1	35 mm	118.5		GA	U.S.A.	Censor's note: Some language may offend.
United International Pictures	Charles Crichton	A FISH CALLED WANDA	3	35 mm	109.5		GA	U.K.	Censor's note: Some content may offend.

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge	Running Time Minutes	Reason for Refusal, Excisions, or Alterations	Decision and Cert. No.	Country of Origin	Remarks
Kerridge Odeon Film Distributors	Gillian Armstrong	High Tide (T) (No. 1)	11	35 mm	2.5		GY	Australia	
Kerridge Odeon Film Distributors	Cannon Pictures	The Kitchen Toto (T) (No. 1)	2	35 mm	1.5		RP 13	U.S.A.	
Kerridge Odeon Film Distributors	Cannon Pictures	The Texas Chainsaw Massacre 2 (T) (No. 1)	15	35 mm	1.0		RP 13	U.S.A.	
<b>9 August 1988</b>									
Kerridge Odeon Film Distributors	J. Lee Thompson	DEATH WISH 4 THE CRACKDOWN	1	35 mm	100.0	s. 13.2 (c) sexual violence	RP 16	U.S.A.	Censor's note: Contains violence.
Kerridge Odeon Film Distributors	Harry Hook	THE KITCHEN TOTO	1	35 mm	97.0		GA	U.S.A.	Censor's note: Content may disturb.
Twentieth Century Fox Distribution (N.Z.) Ltd.	20th Century Fox Corporation	License to Drive (T) (No. 2)	2	35 mm	4.5		G	U.S.A.	
United International Pictures	John Frankenheimer	THE MANCHURIAN CANDIDATE	1	35 mm	127.5		GA	U.S.A.	
Brown Christensen/Doyle Dane Bernbach Ltd.	Batey Ads	SINGAPORE AIRLINES—SAN FRANCISCO (Ad Film)	10	35 mm	1.0		G	Australia	
<b>10 August 1988</b>									
Kerridge Odeon Film Distributors	Ron Shelton	BULL DURHAM	1	35 mm	109.0		RP 13	U.S.A.	Censor's note: Content may offend.
Twentieth Century Fox Distribution (N.Z.) Ltd.	John Metierman	DIE HARD	1	35 mm	133.5		RP 16	U.S.A.	Censor's note: Violence and language may offend.
<b>11 August 1988</b>									
Twentieth Century Fox Distribution (N.Z.) Ltd.	Peter Markle	BAT * 21	1	35 mm	106.5		RP 13	U.S.A.	Censor's note: Contains war violence.
Twentieth Century Fox Distribution (N.Z.) Ltd.	Peter Markle	Bat * 21 (T) (No. 1)	1	35 mm	2.5		GA	U.S.A.	
Warner Bros.	Clint Eastwood	Bird (T) (No. 1)	40	35 mm	2.0		G	U.S.A.	
Kerridge Odeon Film Distributors	Zalman King	TWO MOON JUNCTION	1	35 mm	106.5		R 16	U.S.A.	Censor's note: Content may offend.
<b>15 August 1988</b>									
United International Pictures	Genevieve Robert	CASUAL SEX?	2	35 mm	88.5		RP 13	U.S.A.	
Video Promotions	Unknown	STAR CUTS—ALI MOORE	400	VHS	28.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—BUFFY DAVIS	400	VHS	29.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—BUNNY BLUE	400	VHS	26.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—DESIREE LANE	400	VHS	26.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—GINGER LYNN	400	VHS	26.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—GINGER LYNN	400	VHS	25.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—JILL HUNTER	400	VHS	25.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—KELI RICHARDS	400	VHS	29.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—KRISTARA BARRINGTON	400	VHS	25.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—MISTY DAWN	400	VHS	25.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—PATTI PETITE	400	VHS	28.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—RAVEN	400	VHS	28.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—ROSE MARIE	400	VHS	30.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—SANDY SUMMERS	400	VHS	25.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—SEKA	400	VHS	29.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—SEKA	400	VHS	26.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—STEVIE TAYLOR	400	VHS	29.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—SUSAN HART	400	VHS	28.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—KARI FOXX	400	VHS	26.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	STAR CUTS—	400	VHS	24.0		R 18	U.S.A.	Censor's note: Explicit

Applicant	Maker	Title Silent(S) or Trailer(T) TIFFANY BLAKE	No. of Copies	Gauge	Running Time Minutes	Reason for Refusal, Excisions, or Alterations	Decision and Cert. No.	Country of Origin	Remarks
<b>16 August 1988</b>									
Touchstone Films Caballero Video Ltd.	Jim Abrahams	BIG BUSINESS	1	16 mm	98.0		GY	U.S.A.	
	Richard Mailer	LOVE LIES	1	VHS	80.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
New Zealand Federation of Film Societies	Hou Hsiao-Hsien	A SUMMER AT GRANDPA'S	1	16 mm	97.0		GY	Taiwan	Taiwanese dialogue, English subtitles.
<b>17 August 1988</b>									
Touchstone Films Kerridge Odeon Film Distributors	Roger Donaldson	COCKTAIL	8	35 mm	105.0		GA	U.S.A.	
	Donald Cammell	White of the Eye (T) (No. 1)	1	35 mm	1.5		RP 16	U.K./U.S.A.	
<b>18 August 1988</b>									
Columbia Films (NZ) Ltd.	Kevin Reynolds	THE BEAST	1	35 mm	110.5	s. 13.2 (c) violence	GA	Israel/U.S.A.	Censor's note: Some content may disturb.
Twentieth Century Fox Distribution (NZ) Ltd.	Peter MacDonald	RAMBO III	1	16 mm	101.5		RP 16	U.S.A.	Censor's note: Contains war violence.
<b>19 August 1988</b>									
Kerridge Odeon Film Distributors	Jim McBride	THE BIG EASY	23	35 mm	104.0		GA	U.S.A.	Censor's note: Some scenes may disturb. New applicant.
Amalgamated Theatres	Derek Jarman	CARAVAGGIO	1	35 mm	94.5		GA	U.K.	Censor's note: Some content may disturb. New applicant.
Amalgamated Theatres	Ettore Scola	THE FAMILY	1	35 mm	130.5		GA	Italy/France	New applicant.
<b>22 August 1988</b>									
Twentieth Century Fox Distribution (NZ) Ltd.	Luc Besson	THE BIG BLUE	1	35 mm	121.5		GY	France	
Twentieth Century Fox Distribution (NZ) Ltd.	Luc Besson	The Big Blue (T) (No. 1)	2	35 mm	2.0		G	France	
<b>23 August 1988</b>									
Embassy of the Federal Republic of Germany	Peter Beaurais	EIN FLIEHENDES PFERD	1	VHS	77.5		GA	West Germany	Censor's note: Some content may offend. German dialogue, English subtitles.
Embassy of the Federal Republic of Germany	Heinz Schirk	MARIA STUART	1	VHS	112.0		GA	West Germany	German dialogue, English subtitles.
<b>24 August 1988</b>									
Victoria University of Wellington	Essie Coffey	MY SURVIVAL AS AN ABORIGINAL	1	16 mm	50.0		Exempt	Australia	New Applicant.
Embassy of the Federal Republic of Germany	Peter Weck	POPULAR TRASH	1	VHS	88.5		GA	West Germany	German dialogue, English subtitles.
Japan Information and Cultural Centre, Embassy of Japan	Yoji Yamada	TORA-SAN'S ISLAND ENCOUNTER	1	16 mm	105.5		GY	Japan	Japanese dialogue, English subtitles.
<b>25 August 1988</b>									
Japan Information and Cultural Centre, Embassy of Japan	Tumio Kuriyama	"CONGRATULATORY SPEECH"	1	16 mm	91.0		GY	Japan	Japanese dialogue, English subtitles.
Victoria University of Wellington	Wendy Thompson	DAMSELS BE DAMNED	1	16 mm	20.5		GA	Australia	
Victoria University of Wellington	Sharon Laura	MAKING BISCUIT	1	16 mm	9.0		G	Australia	
Victoria University of Wellington	Tracey Moffatt	NICE COLOURED GIRLS	1	16 mm	17.0		GA	Australia	
Victoria University of Wellington	Laleen Jayamanne	A SONG OF CEYLON	1	16 mm	51.0		GA	Australia	
<b>26 August 1988</b>									
Columbia Films (NZ) Ltd.	Kevin Reynolds	The Beast of War (T) (No. 1)	40	35 mm	1.5		GA	Israel	
Amalgamated Theatres	Peter Greenaway	Belly of an Architect (T) (No. 1)	1	35 mm	3.0		GA	U.K./Italy	
Columbia Warner	Chuck Russell	THE BLOB	1	35 mm	96.5		RP 16	U.S.A.	
Columbia Warner	Chuck Russell	The Blob (T) (No. 1)	1	35 mm	1.5		RP 13	U.S.A.	
Amalgamated Theatres	Patricia Rozema	I've Heard the Mermaids Singing (T) (No. 1)	1	35 mm	2.5		G	Canada	
Amalgamated Theatres Newvision Film Distributors	Didier Grousset Beth B.	Kamikaze (T) (No. 1) SALVATION	1 1	35 mm 35 mm	1.5 80.5		RP 13 R 16	France U.S.A.	English subtitles. Censor's note: Content may offend.
Amalgamated Theatres	Jean-Marie Poire	Twist Again in Moscow (T) (No. 1)	1	35 mm	2.5		GY	France	French dialogue, English subtitles.
Columbia Films (NZ) Ltd.	Ken Kwapis	Vibes (T) (No. 2)	20	35 mm	6.5		G	U.S.A.	
<b>29 August 1988</b>									
Amalgamated Theatres	Patricia Rozema	I'VE HEARD THE MERMAIDS SINGING	1	35 mm	83.5		GA	Canada	New Applicant.
<b>30 August 1988</b>									
Victoria University of Wellington	Sally Potter	THE GOLD DIGGERS	1	16 mm	89.0		GY	U.K.	
Victoria University of Wellington	Joseph Camp	"GOTTA MAKE THIS JOURNEY" SWEET HONEY IN THE ROCK	1	VHS	57.5		G	U.S.A.	
Caballero Video Ltd.	Paul Thomas	JEFF LOVES JAMIE	1	VHS	80.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Goethe Institut	Reinhold Schunzel	VIKTOR UND VIKTORIA	1	16 mm	99.0		GY	Germany	German dialogue, English subtitles.



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<b>31 August 1988</b>									
Columbia Warner	Kevin Reynolds	THE BEAST OF WAR	1	35 mm	110.5	s. 13.2 (c) violence	GA	Israel/U.S.A.	Censor's note: Some content may disturb. Amended title.
Columbia Films (NZ) Ltd. Warner Bros	Chuck Russell Stanley Kubrick	The Blob (T) (No. 2) A CLOCKWORK ORANGE	20 3	35 mm 35 mm	1.5 138.0		GA R 18	U.S.A. U.K.	Censor's note: Content may disturb.
Warner Bros	Stanley Kubrick	A Clockwork Orange (T) (No. 2)	12	35 mm	1.0		GA	U.K.	
Japan Information and Cultural Centre, Embassy of Japan	Junya Sato	LOST IN THE WILDERNESS	1	16 mm	141.0		GA	Japan	Japanese dialogue, English subtitles.

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**Chief Censor's Decisions: 1-30 September 1988**

Pursuant to section 21 of the Films Act 1983, the entries in the Register for the above period are hereby published.

**Key to Decisions**

G—Approved for general exhibition.

GY—Approved for general exhibition: recommended as more suitable for persons 13 years of age and over.

GA—Approved for general exhibition: recommended as more suitable for adults.

G\*—Approved for general exhibition: . . . . . (as specified).

R(age)—Approved for exhibition: only to persons . . . . . years of age and over (as specified).

RP(age)—Approved for exhibition: only to persons . . . . . years of age and over and to any person under that age when accompanied by that person's parent or guardian.

R\*—Approved for exhibition only . . . . . (as specified).

Ex—Exempted from examination and approved for exhibition . . . . . (with any conditions as specified).

**Schedule**

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge	Running Time Minutes	Reason for Refusal, Exclusions, or Alterations	Decision and Cert. No.	Country of Origin	Remarks
<b>1 September 1988</b>									
Japan Information and Cultural Centre, Embassy of Japan	Keisuke Kinoshita	BIG JOYS, SMALL SORROWS	1	16 mm	130.0		GY	Japan	Japanese dialogue, English subtitles.
Victoria University of Wellington	Susan Gibson, Susan Lambert	LANDSLIDES	1	VHS	74.0		GA	Australia	Censor's note: Some medical content may disturb.
Caballero Video Ltd.	Paul Thomas	WILD BRAT	1	VHS	82.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
<b>2 September 1988</b>									
Victoria University of Wellington	Judy Murupaenga	CHANGING PLACES	1	VHS	50.0		GY	N.Z.	
Victoria University of Wellington	Ngatai Huata	"HINE"	2	VHS	52.0		GY	N.Z.	Censor's note: Some content may offend.
Victoria University of Wellington	Ngatai Huata	"Hine" (T No. 1)	2	VHS	5.0		G	N.Z.	Music video.
Victoria University of Wellington	Ngatai Huata	"Hine" (T No. 2)	2	VHS	4.5		G	N.Z.	Music video.
Charley Gray's Pictures	Daniel Shmid	TOSCA'S KISS	1	35 mm	88.5		GA	Switzerland	Italian dialogue, subtitles in English.
Victoria University of Wellington	Gina Newson	TWO DIRECTORS WENDY TOYE AND SALLY POTTER	1	VHS	54.5		GY	U.K.	
<b>5 September 1988</b>									
Kerridge Odeon Film Distributors	Nikita Michalkov	Black Eyes (T No. 1)	1	35 mm	2.0		G	Italy	
Goethe Institut	Helmut Kautner	KITTY UND DIE WELT-KONFERENZ	1	16 mm	80.5		GY	Germany	German dialogue, English subtitles.
<b>6 September 1988</b>									
United International Pictures	Costa-Garvas Fim	BETRAYED	3	35 mm	128.5		RP 13	U.S.A.	Censor's note: Content may offend.
Kerridge Odeon Film Distributors	Ted Kotcheff	SWITCHING CHANNELS	1	35 mm	106.0		GY	U.S.A.	
<b>8 September 1988</b>									
Victoria University of Wellington	Re Karen	FASIA	1	16 mm	87.5		GA	West Germany	
Victoria University of Wellington	Chantal Anne Akerman	JEANNE DIELMANN 23 QUAI DU COMMERCE 1080 BRUXELLES	1	VHS	190.0		GA	Belgium, France	Censor's note: Some content may offend. French dialogue, English subtitles.
Victoria University of Wellington	Barbara Harford, Linda Kennedy	THE WIDOWS AND THE GENERALS	1	VHS	30.5		GA	N.Z.	
<b>9 September 1988</b>									
Warner Bros.	Michael Dinner	HOT TO TROT	1	35 mm	84.0		GY	U.S.A.	Censor's note: Contains coarse language.
Columbia Films (N.Z.) Ltd.	Robert Greenwald	SWEET HEARTS DANCE	1	35 mm	102.0		GA	U.S.A.	

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<b>12 September 1988</b>									
Goethe Institut	Reinhold Shunzel	LUCK COMES FROM THE CLOUDS	1	16 mm	102.5		GY	Germany	German dialogue, English subtitles.
<b>13 September 1988</b>									
Gospel Films	Mark IV Pictures	ALL THE KINGS HORSES	1	VHS	83.0		Exempt	U.S.A.	
Warner Bros.	Bud Yorkin	ARTHUR 2 ON THE ROCKS	1	16 mm	112.5		GA	U.S.A.	
Twentieth Century Fox Distribution (N.Z.) Ltd.	Penny Marshall	BIG	1	16 mm	104.0		GY	U.S.A.	
Touchstone Films	Roger Donaldson	Cocktail (T No. 1)	40	35 mm	2.5		GY	U.S.A.	
United International Pictures	John Landis	Coming to America (T No. 1)	3	35 mm	3.0		G	U.S.A.	
Kerridge Odeon Film Distributors	James B. Harris	Cop (T No. 1)	27	35 mm	2.0		RP 13	U.S.A.	
United International Pictures	John Carl Beuchler	Friday the 13th Part VII—The New Blood (T No. 1)	1	35 mm	1.5		RP 16	U.S.A.	
United International Pictures	Howard Deutch	The Great Outdoors (T No. 1)	1	35 mm	2.0		G	U.S.A.	
Warner Bros.	Istvan Szabo	HANUSSEN	1	35 mm	144.0		GA	Hungary, West Germany U.S.A.	German dialogue, English subtitles.
Gospel Films	Gospel Films	HOME RUN FOR RUSTY	1	VHS	31.0		Exempt	U.S.A.	
United International Pictures	Peter Hyams	The Presidio (T No. 1)	9	35 mm	2.5		GA	U.S.A.	
United International Pictures	Francis Ford Coppola	Tucker (T No. 1)	16	35 mm	1.5		G	U.S.A.	
United International Pictures	Francis Ford Coppola	TUCKER THE MAN AND HIS DREAM	4	35 mm	111.5		G	U.S.A.	
Victoria University of Wellington	Michelle Citron	WHAT YOU TAKE FOR GRANTED ...	1	16 mm	74.0		GY	U.S.A.	Censor's note: Some content may disturb.
Gospel Films	Heartland Films	WHITCOMB'S WAR	1	VHS	67.0		Exempt	U.S.A.	
<b>14 September 1988</b>									
United International Pictures	Martin Brest	MIDNIGHT RUN	3	35 mm	128.0		GA	U.S.A.	Censor's note: Violence and language may offend.
Video Promotions	Unknown	MOMUMENTAL KNOCKERS VOL. 1	400	VHS	56.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	Unknown	MOMUMENTAL KNOCKERS VOL. 2	400	VHS	55.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
United International Pictures	Peter Hyams	THE PRESIDIO	6	35 mm	99.5		RP 13	U.S.A.	
<b>15 September 1988</b>									
Video Promotions	Citrus-Fios Productions	AMERICAN PIE	400	VHS	73.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Cintrex Inc., Collectors Video	ANOTHER ROLL IN THE HAY	400	VHS	68.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Gold Productions	APHRODESIA'S DIARY	1	VHS	85.0		R 18	U.S.A., France	Censor's note: Explicit sexual content may offend. Dubbed in English. New applicant.
Video Promotions	Sheer Essence	BEAVERLY HILLS COP	400	VHS	92.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Filminvest AB	BEL AMI	400	VHS	99.5		R 18	Sweden	Censor's note: Explicit sexual content may offend. Dubbed in English. New applicant.
Kerridge Odeon Film Distributors	Dennis Hopper	Colors (T No. 2)	1	35 mm	1.0		G	U.S.A.	
Video Promotions	New Eros Film	ENDLESS LUST	400	VHS	74.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Columbia Films (N.Z.) Ltd.	Tommy Lee Wallace	FRIGHT NIGHT PART 2	1	35 mm	105.0		RP 16	U.S.A.	
Goethe Institut	Helmut Kautner	GROSSE FREIHEIT NR. 7	1	16 mm	109.0		GA	Germany	German dialogue, English subtitles.
Video Promotions	Billy Thornberg, Harold Perkins Production	HOT LUNCH	400	VHS	78.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	H and U Film Productions Ltd.	JACK AND JILL	400	VHS	71.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Hal Freeman Production	NAUGHTY CHEERLEADERS	400	VHS	83.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	David I Frazer and Svetland	PANTY RAID	400	VHS	76.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Mark Corby Productions	PEACHES AND CREAM	400	VHS	78.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Playtime Video	SEX ACADEMY	400	VHS	88.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Kreimn Sisters Film Dynasty	SPIRIT OF SEVENTY SEX	400	VHS	65.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	The Film Makers Company	SUMMER CAMP GIRLS	400	VHS	71.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.

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Video Promotions	David I Fraser and Svetland	SURRENDER IN PARADISE	400	VHS	78.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Dart Ent Inc.	TABOO	400	VHS	86.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Hollywood Video	"TEASERS"	400	VHS	88.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
<b>16 September 1988</b>									
Video Promotions	Christopher Duncan Production	BELLA	400	VHS	81.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Victoria University of Wellington	Annie Collins	DOUBLE TAKE	1	VHS	47.5		G	N.Z.	
Video Promotions	VCX Inc.	DREAMS OF MISTY	400	VHS	82.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Caballero Video Ltd.	Paul Thomas	THE ELEVENTH COMMANDMENT	1	VHS	86.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	New Eros Films	HOLLYWOOD DREAMS	400	VHS	76.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	New Day Films	LITTLE GIRLS BLUE	400	VHS	71.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Jell Productions	THE NIGHT OF THE HEADHUNTER	400	VHS	76.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Victoria University of Wellington	Julienne Stretton	A PORTRAIT OF KATHERINE MANSFIELD	1	VHS	52.0		GY	N.Z.	
Video Promotions	Ashton Films	ROBINS NEST	400	VHS	76.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Mark Curtis Film	STAR 85	400	VHS	80.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Carter Stevens	TINSELTOWN	400	VHS	81.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Kerridge Odeon Film Distributors	Zalman King	Two Moon Junction (T No. 1)	12	35 mm	1.5	s. 13.2 (c) anti social behaviour	GA	U.S.A.	
<b>19 September 1988</b>									
Video Promotions	Kirby Stevens	ANYTIME ANY PLACE	400	VHS	91.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Kerridge Odeon Film Distributors	Peter Jackson	BAD TASTE	1	35 mm	93.0		R 16	N.Z.	Censor's note: Violent content may offend. New applicant.
Kerridge Odeon Film Distributors	Nikita Michalkov	BLACK EYES	1	35 mm	118.5		GA	Italy	New applicant.
Warner Bros. Video Promotions	Nouchka Van Brakel VCIII Cablevision Inc.	CHANGING PLACES CHARLI	1 400	35 mm VHS	102.0 77.5		GA R 18	Netherlands U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	One River Productions	DAUGHTERS OF EMMANUELLE	400	VHS	85.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Jell Productions	THE EROTIC ADVENTURES OF DICKMAN AND THROBBING	400	VHS	86.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Lawrence T. Cole	FANTASEX ISLAND	400	VHS	90.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	VCIII Cablevision Inc.	FANTASY	400	VHS	84.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Jell Productions	FOR YOUR THIGHS ONLY	400	VHS	84.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Jell Productions	THE GIRLS OF A TEAM	400	VHS	81.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	VCIII Cablevision Inc.	HIGH SCHOOL MEMORIES	400	VHS	78.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Endeavour Films Video Promotions	Gillian Armstrong Mark Curtis Film	HIGH TIDE HOLLY DOES HOLLYWOOD	3 400	35 mm VHS	106.0 89.0		GA R 18	Australia U.S.A.	New applicant. Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Jell Productions	HOT NIGHTS AT THE BLUE NOTE CAFE	400	VHS	77.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Kerridge Odeon Film Distributors	Leon Narbey	ILLUSTRIOUS ENERGY	2	35 mm	102.0		GY	N.Z.	
United International Pictures	Martin Scorsese	THE LAST TEMPTATION OF CHRIST	3	35 mm	165.5		RP 13	U.S.A.	Censor's note: Content may offend.
United International Pictures	Martin Scorsese	The Last Temptation of Christ (T No. 1)	10	35 mm	2.0		G	U.S.A.	
Video Promotions	VCIII Cablevision Inc.	NEVER SO DEEP	400	VHS	88.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Touchstone Films	Ferdinand Fairfax	THE RESCUE	1	35 mm	98.5		GY	U.S.A.	

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Gospel Films	Hanna-Barbera	SAMSON AND DELILAH	1	VHS	27.0		G	U.S.A.	
Video Promotions	Mark Curtis Film	SAVAGE FURY	400	VHS	76.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Mark Curtis Film	SKIN GAMES	400	VHS	70.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	The Moving Picture Co.	SKIN TIGHT	400	VHS	75.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Mark Curtis Productions	STAR 84' THE TINA MARIE STORY	400	VHS	117.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Kerridge Odeon Film Distributors	Troma Team	Surf Nazis Must Die (T No. 1)	2	35 mm	3.0		RP 16	U.S.A.	
Video Promotions	Video Box Films	TEMPTATIONS	400	VHS	71.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Warner Bros.	Lee H. Katzin	WORLD GONE WILD	1	35 mm	95.5		R 16	U.S.A.	Censor's note: Violence and language may offend.
<b>20 September 1988</b>									
Video Promotions	Atom Films	"... I NEVER SAY NO!"	400	VHS	73.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Victoria University of Wellington	Rivka Hartman	BACHELOR GIRL	1	35 mm	83.5		GA	Australia	
Video Promotions	Gourmet Video Collection	BLONDE HEAT	400	VHS	60.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Lawrence Cole	BOLD OBSESSION	400	VHS	81.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Rinse Dream	CAFE FLESH	400	VHS	72.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Gospel Films	Hanna-Barbera	DANIEL AND THE LION'S DEN	1	VHS	24.0		G	U.S.A.	
Gospel Films	Hanna-Barbera	DAVID AND GOLIATH	1	VHS	25.5		GY	U.S.A.	
Video Promotions	Unknown	FAMILY AFFAIR	400	VHS	57.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	R. William	HOT COUNTRY	400	VHS	72.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Caballero Control Corporation	HOT SISTERS	400	VHS	53.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	R. William, Western Visuals	HUGE BRAS VOL. 2	400	VHS	51.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Belladonna Films	IN THE FOLDS OF THE FLESH	400	VHS	80.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Gospel Films	Hanna-Barbera	JOSHUA AND THE BATTLE OF JERICHO	1	VHS	25.0		G	U.S.A.	
Video Promotions	Color Climax Video	LESBOS IN HEAT	400	VHS	65.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Lawrence Cole	LOVE LETTERS	400	VHS	91.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Gospel Films	Hanna-Barbera	MOSES	1	VHS	27.0		GY	U.S.A.	
Video Promotions	Babes Pix	NEW YORK BABES	400	VHS	73.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Gourmet Video Collection	PAPER DOLLS	400	VHS	59.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Lawrence Cole	THE POWER OF NICOLE	400	VHS	81.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Vintage International Productions	"SISSY'S HOT SUMMER"	400	VHS	59.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	VCIII Cablevision Inc.	THOROUGHLY AMOROUS AMY	400	VHS	71.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Film Collector's Association	VOLUME FOUR	400	VHS	58.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
<b>21 September 1988</b>									
Gospel Films	Concordia Films	THE CITY THAT FORGOT ABOUT CHRISTMAS	1	VHS	22.5		G	U.S.A.	
Gospel Films	Family Films	I WILL TAKE YOU TO THE CHRIST CHILD	1	VHS	29.5		G	U.S.A.	
Victoria University of Wellington	Fiona Niccol	MANGAWHAI WOMEN'S FESTIVAL	2	VHS	24.0		G	N.Z.	
Kerridge Odeon Film Distributors	Peter George	SURF NAZIS MUST DIE	1	35 mm	83.5		RP 16	U.S.A.	
Gospel Films	Concordia	WELCOME THE STRANGER	1	VHS	18.5		G	U.S.A.	

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge	Running Time Minutes	Reason for Refusal, Excisions, or Alterations	Decision and Cert. No.	Country of Origin	Remarks
22 September 1988									
Video Promotions	Artimi Films	"11"	400	VHS	69.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Poolemar Productions	BIJOU	400	VHS	72.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Rodox	BLACK SILK STOCKINGS	400	VHS	87.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Kerridge Odeon Film Distributors	Jackie King	Blood Diner (T No. 1)	1	35 mm	.5		G	U.S.A.	
Video Promotions	R. William, Jerome Tanner, Western Visuals	THE BOARDING HOUSE	400	VHS	64.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Not Given	BOYS IN THE SAND	400	VHS	69.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Evolution Film	BREAKER BEAUTIES	400	VHS	84.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Jell Productions	CALIFORNIA REAMING	400	VHS	63.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Warner Bros.	Joan Micklin Silver	CROSSING DELANCEY	1	35 mm	98.0		GA	U.S.A.	
Video Promotions	Mike Stryker Film	FEMME FATALE	400	VHS	65.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Gunter Otto	FOR MEMBERS ONLY	400	VHS	78.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Gospel Films	Malcolm Neal	GERBERT	1	VHS	35.5		G	U.S.A.	
Gospel Films	John Lutz	GINGERBROOK FARE	1	VHS	42.0		G	U.S.A.	
Video Promotions	Ecstasy Video	THE GIRL WITH THE HUNGRY EYES	400	VHS	67.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Producers Concepts Ltd.	HOLLYWOOD CONFIDENTIAL VOL. 1 MEMORIES OF AMANDA	400	VHS	45.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Producers Concepts Ltd.	HOLLYWOOD CONFIDENTIAL VOL. 2 "TERI GETS HER WISH"	400	VHS	58.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Producers Concepts Ltd.	HOLLYWOOD CONFIDENTIAL VOL. 4 GROUPIES GALORE!	400	VHS	68.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Gourmet Video	HOT NUMBERS	400	VHS	60.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Gourmet Video Collection	HOTEL HOOKER	400	VHS	59.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Western Visuals	HUGE BRAS VOL. 1	400	VHS	48.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Round-By-Round Company	INTIMATE ILLUSIONS	400	VHS	74.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	MSW	JAIL BAIT	400	VHS	78.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Summer Brown Productions	THE JOY OF LETTING GO	400	VHS	81.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Western Visuals	LUAU ORGY	400	VHS	57.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Hot Productions	LUST VEGAS JOYRIDE	400	VHS	80.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Cine Vogue	MANHATTAN MISTRESS	400	VHS	74.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Gospel Films	Russell S. Doughten Jr.	NITE SONG	1	VHS	66.5		GA	U.S.A.	Censor's note: Contains violence.
Gospel Films	Hanna-Barbera	NOAH'S ARK	1	VHS	26.5		G	U.S.A.	
Video Promotions	Transworld Film Production	OBJECT OF DESIRE	400	VHS	70.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Titan Productions	OUTLAW WOMEN	400	VHS	63.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Ribu Film	PLEASURE SO DEEP	400	VHS	76.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Gourmet Video Collection	PRIVATE NURSES	400	VHS	58.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Western Visuals	PUMPKIN FARM	400	VHS	49.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Frederic Lansal	PUSSY TALK—LE SEXE QUI PARLE	400	VHS	86.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant. Dubbed in English.

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge	Running Time Minutes	Reason for Refusal, Excisions, or Alterations	Decision and Cert. No.	Country of Origin	Remarks
Video Promotions	Lipstick Video Productions	REAR ACTION GIRLS	400	VHS	82.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Laguna Pacific Ltd.	SAILOR IN THE WILD	400	VHS	101.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Justine Productions	SAPPHO SEXTET	400	VHS	65.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Santa Fe Productions	THE SEDUCTION OF SEKA	400	VHS	64.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Now Showing Inc.	SHAMELESS	400	VHS	79.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Gourmet Video	SHANA BLONDE SUPERSTAR	400	VHS	61.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Santa Fe Productions	SHAVE TAIL	400	VHS	75.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Capricorn Productions	THE STARMAKER	400	VHS	80.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	J. Angel Martine	SUMMERTIME BLUE	400	VHS	69.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend.
Video Promotions	J.V. Productions	TWICE A VIRGIN	400	VHS	80.5		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	AJV Production	THE X TEAM	400	VHS	85.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
<b>23 September 1988</b>									
Gospel Films	Herb Halper	THE BELONGING GAME	1	VHS	23.0		G	U.S.A.	
Kerridge Odeon Film Distributors	Jackie King	BLOOD DINER	1	35 mm	88.5	s. 13.2 (c) sexual violence	R 18	U.S.A.	Censor's note: Content may offend.
Video Promotions	Taylor Benson	INCHES	400	VHS	66.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Video Promotions	Adam	PRETTY AS YOU FEEL	400	VHS	78.0		R 18	U.S.A.	Censor's note: Explicit sexual content may offend. New applicant.
Warner Bros.	Steven Kampmann & Will Aldis	STEALING HOME	1	35 mm	99.0		GA	U.S.A.	Censor's note: Some scenes may offend.
Gospel Films	Donald W. Thompson	A THIEF IN THE NIGHT	1	VHS	70.5		GA	U.S.A.	
Gospel Films	Family Films	WORTH IT	1	VHS	32.5		G	U.S.A.	
<b>26 September 1988</b>									
Warner Bros.	Glenn Gordon Caron	CLEAN AND SOBER	1	35 mm	125.5		GA	U.S.A.	Censor's note: Language may offend.
Twentieth Century Fox Distribution (N.Z.) Ltd.	Charles Sturridge	A HANDFUL OF DUST	1	35 mm	119.5		GA	U.K.	
Twentieth Century Fox Distribution (N.Z.) Ltd.	Charles Sturridge	A Handful of Dust (T No. 1)	1	35 mm	2.5		G	U.K.	
<b>28 September 1988</b>									
Warner Home Video	Jamma Fanaka	PENITENTIARY III	600	VHS	87.5		R 16	U.S.A.	Censor's note: Violence may disturb.
Kerridge Odeon Film Distributors	Margarethe Von Trotta	Rosa Luxemburg (T No. 1)	1	35 mm	3.0		G	West Germany	
Columbia Films (N.Z.) Ltd.	Blake Edwards	SUNSET	1	35 mm	108.5		GA	U.S.A.	Censor's note: Some content may disturb.
<b>29 September 1988</b>									
Gospel Films	Donald W. Thompson	"A DISTANT THUNDER"	1	VHS	78.5		GA	U.S.A.	Censor's note: Some content may disturb.
Kerridge Odeon Film Distributors	Vestron Pictures	Anna (T No. 1)	1	35 mm	2.0		G	U.S.A.	
Charley Gray's Pictures	David Bradbury	SOUTH OF THE BORDER	1	16 mm	63.5		GA	Australia	Censor's note: Some content may disturb.
<b>30 September 1988</b>									
Gospel Films	Mark IV Pictures Inc. Productions	HEAVEN'S HEROES	1	VHS	72.0		Exempt	U.S.A.	
Gospel Films	World Wide Pictures	JONI	1	VHS	110.0		Exempt	U.S.A.	

# Justice

## Broadcasting Act 1976

Decision No. 10/88

Reference No.: BRO 128/87  
BRO 133/87

In the matter of the Broadcasting Act 1976, and in the matter of: 1. An application for a Short-term Broadcasting Authorisation by Victoria University of Wellington Students' Association Incorporated (Radio Active).

2. An application for a Short-term Broadcasting Authorisation by University of Canterbury Students' Association Inc.:

*Chairman:* B. H. Slane.

*Member:* Robert Boyd-Bell.

### Reasons for a Decision

Dated at Auckland this 31st day of March 1988.

#### Background

Each of the applicants has previously held short-term broadcasting authorisations to broadcast a service to students during the academic year and for a short period at either end of that year.

Specifically, the Victoria application was:

1. To provide a news, information and entertainment service for tertiary students attending Victoria University of Wellington.

2. To provide an opportunity for tertiary students to gain skills related to the operations of a radio station.

3. To provide an easily accessible forum for the wider community to learn about on-campus activities.

The period applied for was continuous from 17 January to 10 December 1988, broadcasting 18 hours per day on weekdays and 24 hours per day at weekends.

The Canterbury application was for the period 17 January to 4 December 1988, similarly broadcasting 18 hours per day on weekdays and 24 hours per day at weekends.

The three main functions proposed were:

1. Coverage of student and university news and information.
2. Presentation of community information to students.
3. Provision of an alternative music station.

The applicants have each year tended to seek both to increase the number of hours and to extend the number of days on which they broadcast.

After considering all the student radio applications made for 1988, the Tribunal indicated that it would not approve broadcasts in 1988 which commenced earlier than 8 weeks from the conclusion of the applicants' previous year's broadcasts.

Both applicants have asked for the reasons for the decision.

#### Reasons

Over a period of several years, university student radio stations have been granted the privilege of being able to broadcast under a short-term broadcasting authorisation for a series of 28-day broadcasts not exceeding one year in total (as provided for in the Act).

This has been a distinctive feature of broadcasting in New Zealand and has been encouraged by the Tribunal.

Previous decisions explain the history, nature and development of student broadcasting to date and we do not intend to reiterate them in this decision. (See decisions 3/81, 11/82, 12/82, 4/86, and 8/87) However, in view of the steadily increasing periods of broadcast sought by student

applicants, and specifically the extensions into January sought by these applicants, the Tribunal has examined the policy implications of continually extending the student radio broadcast year.

The university teaching year traditionally starts around the beginning of March and finishes with examinations in October and November.

The university student radio stations originally began broadcasting with a focus on enrolment and orientation activities in Term 1, and have progressively extended their broadcasts through the year until mid-November or December.

The student stations generally include among their functions the provision of news, information and entertainment services to students together with some opportunity for students to gain radio skills. To a lesser degree, the stations offer some non-students an opportunity to be better informed regarding student and university life. The stations have also established a reputation for offering alternative music in their programmes, claiming a more varied and less "commercial" sound than most other stations. They also play a much higher proportion of New Zealand contemporary recorded music than other stations.

The stations have been authorised by the Tribunal to serve their student audience. While the Tribunal accepts that there is some additional non-student audience attached to student radio, the stations are not primarily authorised as alternative music stations.

Among the applications received from all the New Zealand university students' associations at the end of 1987 regarding proposed broadcasts in 1988, three included extensive periods of broadcast during the summer months when the universities are not in full session.

In the case of the Auckland station, the extended period was sought for the express purpose of assisting in the establishment of some extensive "access" broadcasting in Auckland. *in effect the station ceased to have a predominantly student oriented programme for the mid-summer period.*

But there was not such distinction in the case of the two applicants who have sought these reasons. They simply sought to begin broadcasting in mid-January and cited in support of their applications their wish to provide a job-search service for students, an accommodation guide and pre-enrolment social contact.

While these reasons may have some validity, the Tribunal does not consider them sufficiently important to justify a start-up date six weeks before the university teaching year commences. At that time of the year the student population is still scattered and we consider that the stations might well, in practice, be serving their non-student "eavesdropping" audience as much as, if not more than, the students themselves.

However, we do not want too rigidly to define the periods of broadcast as local conditions may favour earlier or later starts and finishes in any year.

Having regard to all the circumstances, the Tribunal determined that authorisations for university student radio stations would not generally be granted for a period longer than 44 weeks in any one year.

Further, we have determined that broadcasting in each year should not commence earlier than 8 weeks after the cessation of broadcasting in the previous year.

Such a period (44 weeks) is enough to cover the university year from enrolment through until the final examinations are over. It also allows for some flexibility in that, if the students wish to commence broadcasting in mid-January, they may apply to do so providing some compensatory reduction in total number of days broadcast has taken place at the end of the previous year.

The Tribunal notes some concern from the applicants that they received short notice regarding the reduction of the hours they

had applied for. The reason for this was that the Tribunal dealt with all university student radio applications at one time for convenience, which resulted in the decision being delivered close to the expected commencement dates of broadcast.

The Tribunal has also noted that there appears to be an expectation among some of the less experienced student broadcasters that any application to the Tribunal will be granted exactly as filed. Such expectations are not justified.

Signed for the Tribunal:

B. H. SLANE, Chairman.

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Decision No. 11/88

COM: 1/87

16/87

### Before the Broadcasting Tribunal

In the matter of the Broadcasting Act 1976, and in the matter of a complaint by **Frederick Christopher James Port** of Ngatea; and in the matter of a complaint by **Andrew Noel Wilson** of Hamilton:

**Warrant Holder: The Broadcasting Corporation of New Zealand, Television New Zealand.**

*Chairman:* B. H. Slane.

*Member:* Robert Boyd-Bell.

*Co-opted Members:* E. Glazer and B. W. Stephenson.

### Decision

Dated the 22nd day of April 1988.

These separate complaints both initially arose from the screening of the television comedy series *Open all Hours* on Television One during the latter part of 1986. The complaints have been individually considered but this decision is issued jointly for convenience.

#### *The Complaints:*

Mr Port lodged an official complaint with the Corporation on 11 August 1986, claiming that the series breached acceptable standards of taste because stuttering was used as a vehicle for comedy. He claims the series presented the attitude that stuttering was not only laughable but also an acceptable subject for mockery. Mr Port requested that the series be withdrawn from broadcast so long as stuttering featured as part of it.

Mr Wilson, Secretary for the Waikato Speak Easy Association, also lodged a formal complaint with the Corporation on 22 September 1986, claiming that the series was offensive to stutterers and did not reach an acceptable level of good taste and decency. He requested that no new series or repeats of *Open all Hours* be broadcast in the future.

#### *The Corporation Response*

The Board of the Corporation considered both complaints at its meeting on 4 November 1986, under the provisions of Television Rule 1.1 (b) which requires that broadcasters "take into consideration currently accepted norms of decency and taste in language and behaviour, bearing in mind the context in which any language or behaviour occurs.

The secretary of the Corporation, Mr I. H. McLean, subsequently advised both complainants separately that several series of the programme had been produced by the BBC and screened in New Zealand on and off since 1977, gaining high popularity ratings. The Board of the Corporation had considered the context of the stuttering and concluded that the humour was not of a cruel or unkind nature. The Board also observed that human frailties of one kind or another had long been a source of comedy.

The complaints were not upheld.

#### *Reference to the Tribunal:*

Mr Port was not satisfied with the Corporation's decision and, in December 1986, referred his complaint to the Tribunal seeking a ruling that no further series or repeats be transmitted.

Mr Wilson, on behalf of the Waikato Speak Easy Association, also referred his complaint to the Tribunal after the Corporation began broadcasting a repeat screening of the most recent series of the programme on Television Two in May 1987.

Mr Port said neither the longevity of the series nor its popularity justified the Corporation's rejection of his complaint. He drew a comparison with *The Black and White Minstrel Show* which had been highly popular over a lengthy period but eventually proved publicly unacceptable. He said there was growing resentment among stutterers at their handicap being exploited for entertainment or commercial purposes. While Australian television had broadcast several programmes sympathetic to an improved understanding of the causes, effects and treatment of stuttering, Mr Port said there was no evidence of any such endeavour by New Zealand television.

Mr Port said the mockery of stuttering was used never less than twice in any episode of the series and usually more often, the audience were clearly encouraged to laugh at it, stuttering was not an endearing trait and the programme's trivialising of the handicap was particularly offensive.

Mr Wilson also submitted that the long-running popularity of the series did not lessen its offensiveness to those affected by stuttering, which he had earlier advised was estimated to be some 3 percent of the population. He argued that, while human frailty may provide a source of satire and parody, stuttering was not an example of such frailty but an inherited handicap in the same category as hydrocephalus, Down's syndrome and spina bifida. Mr Wilson said the Speak Easy Association did not oppose the representation of stuttering where it was necessary to any plot, but in this series it was there to be laughed at. The principal sufferers were likely to be children and adolescents whose lives could be made utterly miserable by the teasing and victimisation which such programmes encouraged.

#### *Corporation Submissions:*

In its submissions to the Tribunal filed on 20 February 1987, the Corporation said the essential elements of its case were as the Secretary had replied to the complainant. Mr McLean added that the "so-called 'stuttering' occurs only spasmodically", was more of a contrived mannerism than a physiological affliction, and was at times deliberate to express incredulity.

The Corporation submitted that stuttering had long been an ingredient of humour and quoted from a medical columnist in the Wellington newspaper *The Evening Post* who referred to the comic star of the programme "walking the knife-edge between respectability and offensiveness". The Corporation also submitted that stuttering was not the principal form of humour in the programme and the affliction was not the source of laughter. It considered Mr Port had misconstrued or misunderstood any likely offensive implications of the programme, even to those afflicted. The Corporation did not consider the mannerism breached the programme rule and submitted that had it done so more complaints would have been received from the programme's 750 000 regular viewers.

The Corporation lodged formal submissions in response to Mr Wilson's complaint with the Tribunal on 3 November 1987, referring to the detailed submissions already made relating to Mr Port's complaint. The Corporation said it had also given full consideration to the complaint from the Waikato Speak Easy Association.

In reference to the programme rule's statement of "currently accepted norms", the Corporation again pointed out that the



programme had been broadcast for many years in Britain, Australia and New Zealand, an alternative programme had been available to viewers as it played and the New Zealand ratings had been between 30 and 40 for the first run, between 25 and 30 for repeats.

The Corporation also submitted that if the complaints were upheld future playings of the series would be effectively prevented, which would not be consistent with the rule in the light of the programme's popularity and the low level of complaint.

#### *Submissions in Response:*

Mr Port submitted a lengthy rebuttal of the Corporation's argument, disputing it point by point, and restated his complaint as follows:

"Briefly, my complaint was made on the grounds that the inclusion of stuttering as a vehicle for comedy in the series breached good taste in that it is offensive to stutterers."

Later he summarised it again:

"Although the supporting arguments have become wide-ranging, the essence of the complaint is simple. It is patent that, in the series:

- (a) Arkwright stutters;
- (b) Arkwright's stuttering occasions laughter;
- (c) Granville mocks Arkwright's stuttering;
- (d) Granville's mockery occasions laughter;
- (e) from (b) and (d) it is undeniable that stuttering and the mockery of it are used as sources of comedy. Those elements of the series which are offensive to stutterers are summed up in (e) above.

For the Waikato Speak Easy Association, Mr Wilson expressed some objection to the complaints being considered together and to the Corporation's submissions regarding Mr Port's complaint being relevant to theirs.

He said it was apparent from the responses it had given that the Corporation intended to broadcast further series of the programme *Open all Hours* in which the Association contended an inherited affliction was used and abused for comic effect.

Mr Wilson disputed any suggestion that the stuttering in the programme could be described as a "contrived mannerism". He also said the popularity of the programme did not excuse the irresponsibility of the Corporation in continuing to broadcast it.

#### *Decision:*

First, the Tribunal considers that stuttering is an element of Arkwright's characterisation which is used to provide humour in the series. It is, of course, only one of the elements so used. Others include the generally penny-pinching behaviour of Arkwright, his bumbling manner with all mechanical appliances especially the cash register, his relationship with nurse Gladys Emmanuel ... even the somewhat forlorn soliloquies with which he closes each episode.

Secondly, Arkwright's stuttering is mocked, as are many other aspects of his character and life at this particular level of English society, but the Tribunal did not consider his stuttering was singled out for vicious or malicious treatment. It was one element of many in a quite complex characterisation.

Thirdly, the Tribunal considers that, while some stutterers may be personally offended by the programme, the general lack of complaints and high ratings suggest that the majority of the population do not find it so—which must be one of the means of defining social norms. The series and the characters are well-known and there would be few surprises for stutterers in any particular episode. They are not compelled to watch that programme on that television channel, nor television at all for that matter. Mr Port's reference to the decline in popularity and eventual discontinuance of *The Black and White Minstrel Show* harked back to a time when, in New Zealand at least,

that programme was broadcast on the only television channel available and viewers had no choice other than to switch off.

As for the effect on others, the Tribunal was presented with nothing that amounted to evidence that the broadcast of the programme had resulted in any significant change in the manner in which the community at large viewed stuttering.

Nor did the Corporation produce evidence of any programme activity that would have led to a more enlightened public awareness of stuttering either.

The Tribunal is cautious about accepting some of the claims advanced by the complaints. The extent to which stuttering is diagnosed as an inherited or acquired complaint remains at least open to considerable debate.

Nevertheless, the complainants do represent a point of view that appears to be gathering some momentum and certainly shows no sign of diminishing. Mr Port's considered parallel with the change in attitude to blackface variety shows in the 60's may well be extended to include the changing attitudes to beauty queen shows in the 70's and 80's. A proper demand for respect appears to be at the heart of both these complaints.

This Tribunal would assess that the point has not yet been reached where *Open all Hours* could be regarded as being in breach of currently accepted norms. The basis for public acceptance of such characters as the butts of comedy does shift and taste changes. We nevertheless consider a ban on the broadcast of this series is not justified by the information before us. Such a serious decision would require substantial justification.

The complaints are not upheld.

The Tribunal is aware of news reports from Britain which indicate that no further new series of this programme are likely to be produced. The question remains as to whether Television New Zealand or any broadcaster of television programmes in New Zealand, is likely to broadcast any repeats of the series previously screened.

In that case, the Broadcasting Corporation is now well aware of the strongly held views of both Mr Port and the Waikato Speak Easy Association. Those views and the extent to which they are reflected in the community at large will need to be carefully weighed if any future repeats of the programme are mooted.

#### *Co-opted Members:*

Ms E. Glazer and Mr B. W. Stephenson were co-opted as persons whose certifications and experience were likely to be of assistance in dealing with the complaints. In accordance with the Act, they took part in the discussions but the decision is that of the permanent members.

Signed for the Tribunal:

B. H. SLANE, Chairman.

go11446

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Decision No. 12/88

COM 17/87

### **Before the Broadcasting Tribunal**

In the matter of the Broadcasting Act 1976, and in the matter of a form of complaint by **Roger Brooking** of Wanganui, recording artist:

*Chairman:* B. H. Slane.

*Members:* Ann E. Wilson and Robert Boyd-Bell.

#### **Ruling**

Dated this 29th day of April 1988.

Mr Brooking lodged a complaint that, for a period of 4 months from 5 May 1986 between 6 a.m. and midnight, a number of Radio New Zealand stations failed to broadcast a recording made by him called "I Know You'll Find a Way".

Mr Brooking informed the Tribunal that a number of stations

had playlisted his recording but a large number had not. Among private radio stations more had playlisted it than not.

He noted that some, if not most, of those stations which had not playlisted the recording had probably played it once or twice. He cannot vouch for the accuracy of his list.

On 17 October 1986 Mr Brooking wrote to the Director-General of Radio New Zealand referring to previous efforts to persuade Radio New Zealand that his song was worthy of air-play.

In response, the Director-General sent a long letter quoting comments from a number of station programme directors. Several stations had played the song and many had also interviewed Mr Brooking to promote the song. According to the Director-General's letter it had apparently proved not to be popular with the audience. Some programme directors considered the recording lacked commercial appeal and was unsuitable to be added to their particular station's playlist. Some referred to research that had been undertaken. Earlier correspondence had taken place between the complainant and Radio New Zealand's Director-General and station executives.

Mr Brooking complained to the Broadcasting Corporation and also to the Broadcasting Complaints Committee, a statutory body.

On 6 July 1987, the Broadcasting Complaints Committee ruled that, while it had jurisdiction to deal with unjust and unfair treatment in programmes broadcast by any broadcasting body, in this case the complaint was that the recording had not been broadcast. The Committee considered it had no jurisdiction. The complainant was advised that, if he wished to proceed further, the proper course was to go to the Broadcasting Tribunal.

Mr Brooking said that the sense of injustice he felt was considerable and the interpretation of the Complaints Committee incorrect. A formal complaint was lodged with the Tribunal. The complainant considered that the recording should have been played more widely by Radio New Zealand stations because most independent stations played it. He considered it unfair that some stations would not play it when he thought a number of them were not achieving the 10 percent quota of local music that they had voluntarily adopted. He also considered it unfair if stations played only 10 percent local content. He considered the relative dominance of Radio New Zealand over independent radio to be unfair and a further limitation on his chances of success.

Mr Brooking also considered it unfair that, despite the enormous effort he had put into promoting his record, Radio New Zealand would not give him the benefit of the doubt in deciding whether or not to play it. He considered it did measure up, that some Radio New Zealand programmers were notorious for not knowing a potentially popular record when they heard one, and his record was not being played because he had antagonised some people within Radio New Zealand.

Mr Brooking submitted that the Act did not say that it was impossible to make a formal complaint about something that was not broadcast. He argued that it was possible to make complaints about unfair and unjust treatment in programmes and that he was unfairly treated by every single Radio New Zealand programme on each of the stations which did not include his record for a period of approximately 4 months after it was released.

The complainant later made further lengthy submissions to the Tribunal which we briefly touch upon now. In addition to the reasons already referred to he argued that the Broadcasting Act required that Radio New Zealand ensure that a New Zealand identity was maintained in its programmes, that there were deficiencies in the research that led to the decisions and that there was subjective decision making. He claimed the result was that he had been effectively denied the chance to make a living, having spent over \$8,000 in producing the record but receiving only about \$700 in royalties.

In response to Mr Brooking the Corporation argued that there was no right for the Tribunal to review the decision of the Broadcasting Complaints Committee but said it would offer no objection to the Tribunal reviewing the Committee's interpretation of section 95O(1)(b) in relation to the complaint.

The Corporation argued that section 95O(2) prevented the Committee from entertaining a complaint that did not fall within subsection (1)(b) namely: "To receive and consider formal complaints of—

(i) Unjust and unfair treatment in programmes broadcast by any broadcasting body; or

(ii) Unwarranted infringement of privacy in, or in connection with the obtaining of material included in, programmes broadcast by any broadcasting body."

The Corporation pointed out that section 95z(1) provides that if a complainant who has made a formal complaint for the purposes of section 95O(1)(b) of the Act is dissatisfied—

"(a) With the decision made under section 95Q or section 95X of this Act by the Committee . . . the complainant may refer the complaint to the Tribunal to be dealt with under section 67 of this Act."

The BCNZ argued that although the words "for purposes of section 95O(1)(b)" could be ambiguous, the Broadcasting Complaints Committee had ruled that it was not a complaint for the purposes of section 95O(1)(b). Even if it were, the Committee's decision was plainly not given under section 95Q or 95X and therefore there was not right to refer the complaint to the Tribunal.

#### *Ruling*

The Tribunal does not consider it should consider the substance or the purported complaint. The Tribunal should first decide on whether or not either the Broadcasting Complaints Committee or the Tribunal has jurisdiction to deal with the purported complaint. To that end it is necessary to examine the relevant elements of the complaints procedure.

It is to be noted that the responsibilities of the Corporation for programme standards set out in section 24 include a number of matters which the Corporation shall have regard to. One of these (section 24(1)(b)) is the need to ensure that a New Zealand identity is developed and maintained in programmes.

The complaints procedure in so far as it relates to complaints about standards is contained in section 95B. The section sets out a procedure for dealing with complaints about several of the standards but specifically excludes from the procedure the standard relating to New Zealand identity. There is therefore no jurisdiction to deal with a complaint based on the failure to have regard to the need to ensure a New Zealand identity is developed and maintained as set out in section 24(1)(b).

In Decision No. 16/82 the Tribunal ruled that the jurisdiction was to deal with complaints about programmes broadcast by the Corporation.

As was there pointed out, the interpretation is reinforced by the provision permitting the Minister to refer to the Tribunal a programme which has not yet been broadcast. The Minister must first consider that the intended broadcast which has been recorded or filmed will be in breach of one of the provisions of sections 24(1)(c) to (g) or of the programme rules. (As was then the case, and is here the case again, there is no suggestion that, if the material it is desired to have broadcast were broadcast, that would constitute a breach.) Also, the Minister must consider that, in the special circumstance of the case, it is in the public interest that the question be referred to the Tribunal.

These would appear to be the only circumstances in which the Tribunal can consider any material before it is broadcast. We therefore cannot deal with a complaint that some material has not yet been broadcast except as set out above.

The nature of Mr Brooking's complaint seems to fall into two categories:

1. That some stations have not broadcast the recording; and
2. That some stations have not broadcast it often enough.

We have no jurisdiction in respect of material not broadcast.

There is no basis for requiring repetition of material already broadcast.

As far as consideration of breaches under section 24 is concerned, the Tribunal therefore considers that, for the reasons set out above, it has no jurisdiction to deal with the complaint.

However, the principal burden of his complaint was to claim under section 95(1)(b)(i) of "unjust and unfair treatment in programmes broadcast by any broadcasting body". That type of complaint is dealt with by the Broadcasting Complaints Committee. Under section 95(2) that Committee may not entertain any complaint not falling within that category.

We do not think it is necessary to decide the point raised by the BCNZ that we have no right to review a decision of the Broadcasting Complaints Committee. We consider that section 95(c) gives the Tribunal the right to give a direction to the Committee to hear a complaint if the Tribunal considers that the Committee has jurisdiction to do so.

Mr Brooking is complaining about the unfair treatment of his recording. His recording has no right of complaint. Other persons who might like the recording to be played clearly have no right to complain of unjust treatment of the recording. The only possible right can be that unfair treatment of the recording in which he has an artistic and financial interest amount to unjust and unfair treatment of him. Essentially Mr Brooker seeks a remedy through section 95(1)(b) for unjust and unfair treatment of himself by unjust and unfair treatment of his recorded material in that it was not broadcast often enough. We are not satisfied that there can be such a link between him and his recording. We find that the failure to broadcast at any time a recording of an artist cannot constitute unfair or unjust treatment of the artist capable of complaint under section 95(1)(b)(i).

The whole framework of the Act is designed to leave the decisions about broadcasting to the warrant holders subject only to the maintenance of certain standards and rules. Unless the treatment complained of can be brought within those standards or rules or unless there is an unjust or unfair treatment of any person in programmes that are broadcast, there is no jurisdiction for the complaint. If we take a programme as a period of broadcast, we cannot find that failure to include some particular recording in that period is unfair or unjust treatment of someone with an interest in that recording.

The purpose of the procedure before the Broadcasting Complaints Committee is to enable a redress informally for persons suffering unjust and unfair treatment. It is not a body set up to supervise the programming of stations whether it be musical programmes or any other programming.

The question of programme content is one of judgment for warrant holders and their responsibility under section 95. This particular complaints procedure is for those who have been unjustly or unfairly treated in that broadcast programme. To rule otherwise, the Tribunal would be required to assess the recording itself and make a decision as to how often it ought to be broadcast, which is an untenable proposition. Mr Brooking's particular case illustrates that there can be a number of differing views about the quality and attractiveness of a record and its suitability for broadcast by certain stations. It would be quite impossible for the Broadcasting Complaints Committee or this Tribunal to assess suitability in respect of each Radio New Zealand station without at the same time weighing programme objectives and other competing claims for air-time from both musical and spoken programme

elements. The Tribunal or the Committee could become involved in programming broadcasting stations on the complaint of artists, recording companies and financial backers. There could be complaints that the excessive broadcast of some other artists was unfair to the complainant. These matters are not capable of resolution by judicial process nor was it ever contemplated by the Act that they might be.

The Tribunal emphasises that it has not considered the complaint itself but is giving this ruling on whether or not there is any basis for giving a direction to the Broadcasting Complaints Committee to hear and determine the complaint. The Tribunal finds there is none.

There could be a situation where the allegation might be made that, to achieve a balance in news or when controversial issues of public importance are discussed, programmes already broadcast should be examined to see whether significant points of view have been broadcast. Such an inquiry might lead to a decision which, in effect, compelled some step to be taken to comply with section 24(1)(d) and (e) of the Act. That would fall short of a direction that a particular element or, as in this case, a specific recorded performance of a piece of music should comprise part of a programme.

A few days before we decided upon this ruling, Mr Brooking submitted a supplementary argument based on the Race Relations Act. He claimed he was refused service as an artist by the radio stations on the grounds of national origins because more air-time was given to British and American music. The stations are therefore providing their service to New Zealand recording artists on less favourable terms than those upon which they make them available to others. Stations do that simply because of an underlying assumption that New Zealand music is not as commercial as that which comes from overseas.

We do not find it necessary to go into the question of whether or not the stations do provide a service to artists in playing their records; we would rather have thought it was the reverse.

We simply find that this is another way of expressing the real nature of his complaint: namely, that the stations have failed to comply with section 24(1)(b) where they have responsibility for maintaining in their programmes and their presentation standards which will be generally acceptable in the community, and in particular have regard to the need to ensure that a New Zealand identity is developed and maintained in programmes.

As previously stated, section 95B (as does 95C in the case of private stations) provides a complaints procedure in respect of some other standards set out in section 24, but not this particular one.

The Tribunal has no jurisdiction to hear Mr Brooking's complaints.

We trust that on reflection Mr Brooking may appreciate that the proposition he is putting to us for a ruling would, if we could "find a way" to accept it, make programming of music on radio stations virtually impossible.

Signed for the Tribunal:

B. H. SLANE, Chairman.

go11447

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Decision No. 14/88

COM. 18/87

### Before the Broadcasting Tribunal

In the matter of the Broadcasting Act 1976, and in the matter of a complaint by Noel Vickers Frykberg of Pauanui.

**Warrant Holder: Broadcasting Corporation of New Zealand, (Television New Zealand and Radio New Zealand):**

*Chairman:* Judge B. H. Slane.

*Members:* Ann E. Wilson and Robert Boyd-Bell.

*Co-opted Members:* J. A. Kelleher and M. J. Sheehan.

### **Decision**

Dated the 6th day of May 1988.

This complaint arose from the visit to New Zealand in April 1987 of Mr Oliver Tambo, a representative of the African National Congress (ANC), and the coverage of his visit broadcast by Television New Zealand and Radio New Zealand.

#### *The Complaint:*

Mr Frykberg lodged a formal complaint with the BCNZ on 23 April 1987 alleging biased reporting of news concerning the Republic of South Africa.

Mr Frykberg specifically complained about prime time television coverage of the visit of Mr Oliver Tambo during the preceding week which he claimed had allowed Mr Tambo to present his version of the function of the ANC.

Coverage also included an interview with the past editor of *Drum* and further coverage of Bishop Tutu, according to Mr Frykberg.

Mr Frykberg complained that no effort had been made to present the views of people who claim Oliver Tambo is a terrorist, nor was any evidence produced to show that the ANC had the level of support claimed by Mr Tambo.

He also complained that Mr Tambo was not questioned concerning the role that Mr Joe Slova plays in the ANC.

Mr Frykberg said that under the provisions of the Broadcasting Act, television and radio are obliged to see that when controversial issues of public interest are presented, at least some effort is made to present the other point of view.

#### *The Corporation's Response:*

The Corporation advised Mr Frykberg on 13 July 1987 that his complaint had been considered by the Board at its meeting on 23 June but not upheld.

The Secretary of the Corporation, Mr I. H. McLean, advised Mr Frykberg that his complaint had been considered under section 24 (1) (e) of the Broadcasting Act which requires that the Corporation have regard to:

"The principle that when controversial issues of public importance are discussed, reasonable efforts are made to present significant points of view either in the same programme or in other programmes within the period of current interest."

Mr McLean explained that the complaint had been examined in two parts as it referred to both radio and television. He also noted that, while Mr Tambo's visit to New Zealand lasted seven days, the "South African situation" was a continuing issue.

The Corporation presented Mr Frykberg with a comprehensive analysis of its television coverage during April and early May 1987 of both Mr Tambo's visits to Australia and New Zealand and also other coverage of events in South Africa.

The list provided by the Corporation included coverage of:

(a) Mr Tambo's visit to Australia, including violent demonstrations against him (5 April);

(b) South African government plans to clamp down on ANC guerrilla activity from neighbouring countries (10 April);

(c) New security regulations promulgated by the South African government banning demonstrations calling for the release of detainees (12 April);

(d) The arrival of Mr Tambo in New Zealand (12 April);

(e) A Maori welcome given to Mr Tambo (13 April);

(f) The departure of Mr Tambo from New Zealand, including reports of the government's rejection of his appeal for increased sanctions against the South African government (19 April);

(g) An ANC attack on a black police training school in South Africa which left one policeman dead and 60 injured (22 April);

(h) Regular items up to 7 May and thereafter concerning the South African election campaign fought largely on the issues of security, the ANC and black violence;

(i) Bishop Tutu's challenge to the South African government also received coverage on 14 April.

The Corporation said news items on television had for years depicted the ANC as a guerrilla organisation and the items of 10 and 12 April reinforced that.

It also said Mr Tambo had been interviewed by Mr Perigo on *Eyewitness* on 14 April in a comprehensive interview which was of a firm nature and certainly not a propaganda exercise for Mr Tambo.

The Corporation also advised that on National Radio, South African affairs including the ANC, terrorism and Mr Tambo were covered on 22 occasions on Morning Report and Midday Report during the period.

The Corporation said that South African affairs are controversial issues without any apparent end; therefore the requirement under the Act to present significant points of view during the period of current interest cannot be confined to a single week. Nor was the BCNZ able to control visits to New Zealand of newsworthy advocates with differing views, although interviewers could and did challenge those views through their questioning.

#### *Reference to the Tribunal:*

Mr Frykberg was not satisfied with the Corporation's response and on 26 August 1987 referred his formal complaint to the Tribunal.

The specific grounds for his complaint were cited as those included in his letter of 23 July 1987 to the Corporation, in which he responded to its advice that his complaint had not been upheld by the Board.

In the letter, Mr Frykberg acknowledged the time and effort which had been put into the Corporation's response to his complaint, but did not accept the conclusions as answering his complaint which he re-stated as:

"that B.C.N.Z. do not make any effort to obtain the point of view of spokespersons from the South African Government, South African press, such as the Citizen, Die Vaderland, or the Volksblad."

In further elaboration of his position, Mr Frykberg added:

"I consider that if fair coverage of events in the Republic of South Africa is to be given, it is essential that people in New Zealand hear all points of view, not just those of the Australian Broadcasting Corporation, the BBC, I.T.V., American Broadcasting Corporation or the points of views expressed by your correspondents in the Republic of South Africa, who are in the main, resident report(er)s for overseas newspapers."

and further:

"my complaint, (which) is 'why the point of view of the South African Government, South African Press or local bodies etc., is not reported in this country.'"

#### *The Corporation's Submission:*

The Corporation lodged submissions with the Tribunal on 26 February 1988 which noted that the original complaint made by Mr Frykberg essentially concerned the coverage of the visit of Mr Oliver Tambo to New Zealand. This had been the main subject of the Corporation's investigation and response although it had also attempted to cover the generalised claim of biased reporting.

In referring his complaint to the Tribunal, the Corporation submitted, Mr Frykberg had changed the grounds of his complaint to those in his letter of 23 July (set out above).

The Corporation said it appeared from Mr Frykberg's letter,

the complaint form and his annotations on the Corporation's response that Mr Frykberg expected the Corporation's news services "to carry South African newspaper material as a matter of course".

The Corporation submitted:

"This cannot be the case. The objectivity of a trusted broadcasting correspondent, or reporter at the scene, will always be preferable when it comes to presenting an unbiased account of a situation, to second-hand newspaper coverage which may be sympathetic to a government or cause."

The Corporation claimed that broadcasting entailed different presentation techniques from those employed by newspapers, and added:

"The newsworthiness of a newspaper editorial or featured coverage must depend on the prevailing circumstances. The difficulty of obtaining other views from South Africa will be known to the Tribunal. Those that can be obtained, and which meet journalistic criteria, are broadcast."

The Corporation's submission concluded:

"Despite the complainant's preferences for the sources of material the Corporation considers that the complainant's case (directed as it was principally to Mr Tambo's visit) fails in the light of the extensive coverage, and its nature . . ."

*Decision:*

The Corporation's submission was referred to Mr Frykberg on 4 March 1988. No response has been received by the Tribunal. The Tribunal considers that Mr Frykberg received a thorough response from the Corporation to his original complaint regarding the coverage of Mr Tambo's visit to New Zealand.

In the face of the analysis which the Corporation investigation presented to him, Mr Frykberg substantially changed his ground in referring his complaint to the Tribunal.

His subsequent statement of complaint "that B.C.N.Z. do not make any effort to obtain the point of view of spokespersons from the South African Government, South African press, such as the Citizen, Die Vaderland, or the Volksblad" is substantially different from his original complaint of generalised bias and specific lack of balance during coverage of Mr Oliver Tambo's visit.

To the extent that there is any identity between the two complaints, Mr Frykberg had already received a detailed analysis of the variety of coverage of South African affairs during the period in question, including coverage of changes in South African government policy, ANC guerrilla activity and the election campaign. The election campaign coverage was noted to have "regularly featured white leaders talking about the black guerrilla threat . . . during the time of South African Government censorship which favoured white Government statements over black expression".

The Tribunal finds that Mr Frykberg's original complaint was not substantiated. Rather, it was effectively demolished by the Corporation analysis of material actually broadcast during the period surrounding Mr Tambo's visit. It finds there is no basis for any further detailed inquiry to see whether there were any flaws in the total television and radio news coverage over the period in question.

*That complaint is not upheld.*

The Tribunal has not considered the wider nature of Mr Frykberg's subsequent complaint in detail but notes that the views of the South African government have been sought and broadcast by the Corporation, both in general news coverage and in specific assignment from time to time.

The Tribunal also notes that Mr Frykberg has previously been informed of the impracticality of the Tribunal's dealing both with generalised non-specific complaints and with complaints that have been changed in the period between reference to the broadcaster and the Tribunal. These matters were specifically addressed in Decision 6/87 in which the Tribunal ruled on an

earlier complaint lodged by Mr Frykberg against the Corporation's coverage of news concerning South Africa.

*Co-Opted Members:*

Mr Kelleher and Mr Sheehan were co-opted as persons whose qualifications and experience were likely to be of assistance to the Tribunal in the determination of the complaint. They took part in the deliberations of the Tribunal but the decision, in accordance with the Act, is that of the permanent members.

Signed for the Tribunal.

B. H. SLANE, Chairman.  
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Decision No. 13/88

COM 7/87

**Before the Broadcasting Tribunal**

In the matter of the Broadcasting Act 1976, and in the matter of a complaint by **Ronald Chippindale**, Chief Inspector of Air Accidents of Wellington.

**Warrant Holder: Broadcasting Corporation of New Zealand, Television One:**

*Chairman:* B. H. Slane.

*Member:* Robert Boyd-Bell.

*Co-opted Members:* J. A. Kelleher.

Hearing on the 2nd day of November 1987.

**Decision**

Dated the 29th day of April 1988.

*Complainant*

Mr Chippindale is the Chief Inspector of Air Accidents and Head of the Office of Air Accidents Investigation of New Zealand, a position he has held for 11 years. He acts independently of the Civil Aviation Division of the Ministry of Transport and he has been responsible for the investigation of some 1500 aircraft accidents. On 29 November 1979 he began an investigation into the accident involving the Air New Zealand DC10 at Mount Erebus on Ross Island in Antarctica. His office produced a draft report recording the findings of a panel of investigation experts. That draft was subject to review by interested parties and the subsequent final report was dated 31 May 1980.

*The Subject of Complaint*

On 15 May 1986 Television One broadcast a special two-part report in the *Close Up* series which examined the aftermath of the sinking of a cruise liner *Mikhail Lermontov* in February that year. A preliminary inquiry into the loss of the ship (pursuant to section 324, Shipping and Seamen Act 1952) was carried out by Captain S. J. Ponsford, who had been appointed a Marine Inspector for the purpose by the Minister of Transport. The hearing which formed the basis of his inquiry was held from 17 to 23 February 1986. He reported the results of his inquiry to the Minister of Transport on 26 February 1986 and recommended that no formal investigation take place. The Minister accepted the recommendation.

The *Close Up* programme examined claims that there should be a full investigation because of allegations of "a cover up" and to determine the full facts. In particular participants said that a period of 5½ hours had been disposed of in the preliminary report in one sentence.

The programme, which lasted about 31 minutes, ended with interviews and statements from the reporter concerning the issue of whether or not a further inquiry should be held. Reference was made to the decision being the Minister's, and the programme concludes with the following statements by the reporter:

"But Richard Prebble remains unmoved by public pressure. His statement reads:

'Whenever there is an accident, one can always find a crackpot who wants to hold a further inquiry. About once a month, I get a request for yet another inquiry into the Mount Erebus accident.'

'It's hard to avoid to thinking about Erebus through all this. An Air New Zealand plane took safety risks to give tourists a great view. It crashed into a mountain. The *Mikhail Lermontov* sailed through foul waters to give passengers a great view of the Sounds and the ship was lost. Three months away from that sudden decision to steer Port Ten, the Ponsford report is the only official explanation for the tragic circumstances here at Cape Jackson. Is it to be another Chippindale report, that blamed the pilot while the Mahon report later changed that? Right now New Zealand believes one man, Captain Jamison, is principally responsible for the sinking. He lives to tell his tale, but is not speaking, and the Government is not acting to put to rest all those unanswered questions. Why, many of Captain Jamison's colleagues are asking, is he and New Zealand to be left swinging while the Government hopes the questions will go away?'

The reference to the Mahon report is to a Royal Commission which was set up by the Government to inquire into the Air New Zealand accident at Mount Erebus, and which came to some different conclusions. One of these can be summarised as follows:

The Inspector of Air Accidents report:

"3.37 Probable Cause:

The probable cause of this accident was the decision of the Captain to continue the flight at low level towards an area of poor surface and horizon definition when the crew was not certain of their position and the subsequent inability to detect the rising terrain which intercepted the aircraft's flight path."

The Royal Commission chaired by Mr Justice Mahon concluded:

Para. 393:

"In my opinion therefore, the single dominant and effective cause of the disaster was the mistake made by those airline officials who programmed the aircraft to fly directly at Mount Erebus and omitted to tell the crew."

#### *Complaint to the BCNZ*

Mr Chippindale lodged a complaint with the Secretary of the Corporation on 11 July 1986. His complaint was with the rhetorical question:

"Is it to be another Chippindale report, that blamed the pilot while the Mahon report changed that?"

In his letter he made the following points:

The report was not a "Chippindale report" in the sense of being made by one person. It was the result of an investigation involving a panel of experts. A draft report was subject to review and comment by legal personal representatives and other parties. The investigation was conducted by an independent office established solely for the purposes of investigation and staffed by trained and experienced investigators who were assisted by overseas experts. He contrasted that with the work of the Marine Inspector engaged in a short preliminary inquiry into the loss of the ship. The use of Mr Chippindale's name had brought discredit personally on him and on his office which required to be held in high regard to carry out its functions.

He also pointed out that the Royal Commission which produced the so called Mahon report did not "change" the findings of his report, which still stood. He said the Royal Commissioner attributed different emphasis to the causal factors and expressed a different view of the primary cause. The complainant cited, in support, the judgment of three Judges of the Court of Appeal who dealt with a judicial review of the Royal Commission as follows:

"The question of causation is obviously a difficult one, as shown by the fact that the Commissioner and the Chief Inspector of Air Accidents in his report came to different conclusions on it. But it is not this Court's concern now. This is not an appeal. Parties to hearings by Commissioners of Inquiry have no rights of appeal against the reports. The reason is partly that the reports are, in a sense, inevitably inconclusive. Findings made by Commissioners are in the end only expressions of opinion. They would not even be admissible in evidence in legal proceedings as to the cause of a disaster. In themselves they do not alter the legal rights of the persons to whom they refer."

And in the judgment of two of the other Judges the following statement:

"In the circumstances it is difficult to understand why the same point of view Mr Chippindale expressed in his evidence could not be genuinely shared by other educated observers."

Mr Chippindale concluded that his report was being used to indicate an inefficient investigation comparable with the Marine Division's investigation of the sinking of the *Mikhail Lermontov* which discredited both his office and him personally.

#### *BCNZ Response*

The Corporation advised Mr Chippindale on 24 July 1986 that he could proceed with the complaint under section 24 (1) (d) concerning the accurate and impartial gathering and presentation of news according to the recognised standards of objective journalism, or in relation to the television programme rule 5.1 (b) that news must be presented accurately, objectively and impartially. An alternative course was to address a complaint to the Broadcasting Complaints Committee alleging unjust and unfair treatment.

On 6 August 1986 Mr Chippindale responded that his purpose was to have a statement made sufficient to repair the damage caused by the programme about which he had complained. He referred to rules which required the Corporation to be truthful and accurate on points of fact, to deal justly and fairly with any person referred to in any programme, and to show balance, impartiality and fairness in dealing with current affairs and all questions of a controversial nature.

The Corporation dealt with the complaint on 23 September 1986 and subsequently wrote to the complainant stating that the use of his name in connection with the report was a common practice and did not in itself bring his name into disrepute. In quoting the passages mentioned above from the two reports on the Mount Erebus air accident the Corporation concluded that there were a number of contributory factors which led to the crash on Mount Erebus, but there was a difference on the single dominant cause. The Corporation concluded that the words used in the programme were not inaccurate and did not impugn his name or his office.

The Corporation declined to uphold the complaint.

#### *Complaint to the Broadcasting Complaints Committee*

On 31 October 1986 Mr Chippindale lodged a complaint of unjust and unfair treatment of himself and his office with a statutory body, the Broadcasting Complaints Committee. On 6 March 1987 the Committee gave its findings:

"In my view the question could have been worded more happily. Clearly another report could not change the earlier report, but the public would be left possibly with two conflicting reports and would be left to draw its own conclusions. Except to note what I have said about the wording of the question I do not think anything further is required."

The Committee also said:

"So far as the two reports concerning the Erebus disaster are concerned, Mr Chippindale is quite correct when he says that the report of the Royal Commission did not change his

report. Indeed, the two reports stand together side by side reporting on the same accident and coming to different conclusions. Each is an expression of opinion by the author or authors. It would not be improper for me to suggest that opinions will vary in respect of the Erebus disaster. The fact is, that the office of Air Accidents Investigations suggested pilot error but the Royal Commission report suggested administrative error within Air New Zealand. The public can make up its own mind on which version it accepts."

The Committee considered that the *Close Up* programme posed the question: "What would happen following a public inquiry? Would the blame be placed on the pilot or would others be called to account?"

#### *Referral to the Tribunal*

On 27 March 1987, dissatisfied with the outcome of both his complaints, Mr Chippindale took them to the Broadcasting Tribunal.

He complained that the Corporation had misdirected itself in considering the complaint.

He also alleged the Broadcasting Complaints Committee did not comply with the rules of natural justice and fairness, and that the Committee misdirected itself in considering the complaint and failed to make a decision on the complaint. He said he had not had an opportunity to comment on a letter from the Corporation to the Broadcasting Complaints Committee, in which the Corporation submitted that the sentence complained of did not say that the Mahon report changed the findings of the Chippindale report: it referred to a change in blame, which quite clearly was the case. The letter said the reporter, by the rhetorical question, was asking if another conclusion could be reached (on the reason for the sinking) as had happened in the second of two reports on the Erebus disaster.

#### *Consideration by the Tribunal*

The Tribunal does not find it necessary to review in a legal sense the decision of the Broadcasting Complaints Committee or the procedure adopted by it. It has completely reheard the complaint of unfair and unjust treatment.

It has also considered anew the complaint to the Corporation of a breach of section 24 and of the Rules.

The complainant filed affidavits with the Tribunal setting out the facts.

The Corporation elected not to file any affidavits in response or cross-examine on the affidavits. The Corporation submitted that it had addressed the points raised.

In relation to the statement made by the reporter, the Corporation accepted that the statement that the Mahon report "changed" the Chippindale report was not literally true. It agreed that the question could have been worded more happily. The Corporation's submission agreed with the words used by the Broadcasting Complaints Committee that *Close Up* posed the question "What would happen following a public inquiry? Would the blame be placed on the pilot or would others be called to account?"

The Corporation said there was but a fleeting reference to Erebus and the Mahon and Chippindale reports at the end of the programme, about 20 seconds or so in a programme of more than 30 minutes. The sentence complained of did not compare the nature of the investigations, nor was the thrust to criticise the complainant, his report, or his office, the Corporation said.

The Corporation denied it had been responsible for any procedural breach in respect of the complaint before the Broadcasting Complaints Committee.

The Tribunal heard the parties. The submission made by the complainant made these points:

The Corporation had failed to comply with the obligation to have regard to the accurate and impartial gathering and

presentation of news, according to the recognised standards of objective journalism (section 95B (1) (a) (iii)).

The Corporation had failed to comply with Broadcasting Rules requiring a broadcaster—

- to be truthful and accurate on points of fact (1.1 (a));
- to deal justly and fairly with any person taking part or referred to in any programme (1.1 (e));
- to show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature (1.1 (g)).

The complaint to the Broadcasting Complaints Committee was that the complainant had suffered unjust and unfair treatment in the programme broadcast by the Corporation.

Mr Chippindale's submission contrasted the extent and nature of the investigation by the Air Accidents Investigation Office with that carried out by a Marine Inspector in a preliminary inquiry for the Minister of Transport. The marine inquiry had heard evidence for 7 days and reported findings to the Minister 3 days later. The air inquiry began immediately it was known that the aircraft had crashed in November 1979 and the final report was dated 31 May 1980.

The use of his name in the programme was likely to have the effect of giving the viewing public the impression the Erebus investigation was carried out by him personally or supervised by him in an unsatisfactory and/or incompetent manner. It was submitted that the quality of the investigation by the office of the Inspector of Air Accidents had never been in dispute and to convey such an impression was to be unjust and unfair to the complainant. It was submitted that the Broadcasting Complaints Committee's interpretation of the question was not made clear—whether the Committee arrived at a conclusion as to the real meaning of the sentence, or whether it was a conclusion that the Committee thought an ordinary viewer watching the programme would come to.

The impression could be gained from comments made by people in the programme on the preliminary report by the Marine Inspector, that the Chippindale report was similarly unsatisfactory and was changed by the Mahon report.

The complainant sought the payment of costs under section 67C Broadcasting Act 1976 because of the way in which the matter had been dealt with by the Corporation and the Broadcasting Complaints Committee.

The Corporation denied that it had misdirected itself. The Board of the Corporation found that the sentence under review pointed out that in a previous situation, totally different conclusions had been drawn.

The Corporation accepted that the statement that the Mahon report "changed" the Chippindale report was not literally true but had reached different conclusions. The Corporation agreed that the sentence could have been worded more happily.

The Corporation noted that the thrust of the documentary could not be ignored; the fleeting reference to the Mahon and Chippindale reports came at the end of the programme.

#### *Decision*

The Tribunal finds that the statement made by the reporter:

"Is it to be another Chippindale report, that blamed the pilot while the Mahon report changed that?"

was not accurate.

There were other confusions in the programme. The reporter used the word "dispense" instead of "dispose" and "redeem" instead of "recover" and in the earlier part of the final passage suggested as a cause of the Erebus accident that "an Air New Zealand plane took safety risks to give tourists a great view, it crashed into a mountain". Strangely that statement accords rather more with the conclusions of the Office of Air Accidents than with the conclusions of the Royal Commission.

The statement made by the reporter and the subject of this

complaint does present an inaccurate comparison with the marine inquiry. We accept completely the differences between the two inquiries outlined by the complainant. It becomes important when the reference is made to the Mahon report and the suggestion that it had changed what had been contained in the earlier report of the Office of Air Accidents inquiry. If the reporter had said the Mahon report had differed or dissented from the finding of the earlier inquiry, it would not have been inaccurate.

We find that the ordinary viewer's interpretation of that sentence would be that there was an actual change brought about by the Mahon report.

We completely accept that the Mahon report could not overrule, amend or otherwise change the report of the Inspector of Air Accidents, and that a significant element of the difference between the two reports lay in the conclusion reached about the cause of the accident which was a matter of reasoning and judgment about which it was possible for ordinary people to arrive at their own conclusions. These were not findings of one superior tribunal that another body's findings were wrong, but simply that the Royal Commissioner did not arrive at the same conclusions as were reached by the Office of Air Accidents investigation.

In the circumstances the Tribunal upholds the complaint of a breach of the rule requiring accuracy on points of fact and in dealing justly and fairly with any person referred to in a programme. It does not accept that the programme failed to show balance or impartiality as the Tribunal does not consider there was any question of balance or partiality involved.

The Tribunal is not prepared to uphold a complaint under section 24 that the programme failed to be accurate and impartial in the gathering and presentation of news according to recognised standards of objective journalism. We consider that this reference in the programme itself was less a presentation of news and more a part of a current affairs documentary for which this section of the Act has less applicability. Also, the breach was one that occurred in passing in an unguarded comment since it is accepted by both parties that the general thrust of the programme had nothing to do with the Erebus accident and its aftermath.

The Tribunal therefore upholds the complaint made to the Broadcasting Complaints Committee and finds that Mr Chippindale and his Office have been unfairly and unjustly treated in the programme.

The Tribunal also finds that a statement to redress the situation should have been broadcast.

It is unfortunate that the Corporation did not make a simple statement promptly disavowing any intention to cast any doubt on the Inspector of Air Accidents and his Office, confirming that the Royal Commission did not change the report of the Inspector of Air Accidents and that both reports still stand, and confirming that the marine and air inquiries were different in their nature and extent and were carried out by different types of appointees.

The Tribunal requires that a statement now be made to this effect by the Corporation and if the parties cannot agree on the statement the Tribunal will determine it. The complainant should accept that the statement will need to be brief.

As the series in which the programme was broadcast is no longer being broadcast the Tribunal directs that the statement

be made during or proximate to the programme known as *Frontline* broadcast from Television One at 7 p.m. on Sunday nights.

#### *Costs*

The Tribunal has some sympathy with the application made, particularly since the complainant filed affidavits to this Tribunal to provide the factual basis for its conclusion, and because the procedures adopted by the Broadcasting Complaints Committee and its failure to make clearly defined findings led to the need to come to this Tribunal.

While there is a general provision relating to the payment of costs, the Tribunal is disinclined to exercise its discretion to do so in this case. In making that decision it has taken into account that the costs incurred have been met by the Office of Air Accidents rather than by Mr Chippindale personally. We have also had regard to the general undesirability of awards of costs in the complaints procedure.

The form of statement to be broadcast and the publicity given to this decision, while necessary to redress the unjust and unfair treatment Mr Chippindale and his Office have suffered, will coincidentally have a beneficial effect for him of tending to prevent similar errors being made in the future, since we perceive it to be a common impression that the Royal Commission "overruled" the Office of Air Accidents. (Just as it is sometimes wrongly thought that the Court of Appeal and the Privy Council in some way "overturned" the essential findings of the Royal Commission.)

The complaint does illustrate the predicament of an individual or private complainant without corporate or other backing wanting to go through the process to obtain an acknowledgment of error or an explanatory statement. We give due warning that, where there is a situation which could be met by a statement being broadcast and the broadcasting body chooses not to follow that course, there may be occasions when an award of costs is appropriate when the complaint is upheld and the Tribunal finds in favour of such a statement being broadcast.

#### *Co-opted Members*

Ms Billing and Mr Kelleher were co-opted as persons whose qualifications and experience may be of assistance to the Tribunal in the determination of the complaint. They took part in the hearing and the deliberations of the Tribunal but the decision is that of the permanent members.

Signed for the Tribunal.

B. H. SLANE, Chairman.  
go11449

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## **Criminal Justice Act 1985**

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### **Confiscation of Motorbike**

Pursuant to section 84 of the Criminal Justice Act of 1985, an order of confiscation was made in the District Court at Stratford on the 14 June 1988 against Harry William Harris, in respect of a motorbike registration No. 67GEC.

Dated at Stratford this 7th day of October 1988.

M. J. WEIR, Deputy Registrar.  
go11370

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**Indecent Publications Act 1963**

Decision No. 26/88

Reference No.: IND 6/88

**Before the Indecent Publications Tribunal**

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Gay*, No. 130, 132 and 136, publisher not known; *Buddy*, Vol. No. 1, publisher not known; *Hunky*, No. 6, publisher not known; *Red Hot*, Book 10, publisher Undercounter Publications, Australia; *The Very Best of Probe*, Vol. 3, No. 8 (1974), publisher Probe Publications Limited, United Kingdom; *Harvey Presents 'D' Cups*, publisher Master Publications Inc, USA; *Game*, Vol. 13, No. 4 (June 1986), publisher Probe Publications Limited, United Kingdom; *How To*, Vol. 5, No. 7 (1980), publisher Probe Publications Limited, United Kingdom; *Hanging Breasts*, No. 6, publisher J. and S. Trading Co., United Kingdom; *Partner*, Vol. 8, No. 3 (June 1986), publisher Master Publications Inc, USA; *Miss Sadie Stern's Monthly*, Vol. 3, No. 10, publisher not known.:

*Chairman:* Judge R. R. Kearney.

*Members:* R. Barrington, A. J. Graham, K. Hulme and S. Middleton.

Hearing at Wellington on the 11th day of April 1988.

*Appearances:* M. J. Wotherspoon on behalf of the Comptroller of Customs. No appearance on behalf of Importer.

**Decision**

These magazines are the property of Progressive Mail Order of Hamilton. The owner of the magazines has requested that the Comptroller of Customs submit the publications to the Tribunal in order to obtain a definitive classification of each title. The Tribunal commends the importer for his very responsible attitude towards this matter.

***Gay, Buddy and Hunky***

*Gay* and *Buddy* are male homosexual magazines containing explicit photographs of homosexual intercourse including both anal and oral. The text in these publications is both explicit and sexually orientated.

The publication *Hunky* is similar to *Gay* and *Buddy* although this is more of a soft core version, where the models are shown just short of sexual penetration. In respect of each of these publications, the Tribunal is satisfied that the explicit portrayal of intimate sex is of a nature which would be injurious to the public good and classifies all three publications as unconditionally indecent.

***Red Hot***

This is a series of short stories without photographs and with only a small amount of illustration. The stories are detailed depictions of heterosexual activities of a most explicit kind.

The sole purpose of any plot appears to the Tribunal to be to present sexual acts in a different setting. The publication is entirely lacking in literary or any other merit for that matter and its crude and explicit presentation of sexual material is such that in the unanimous finding of the Tribunal it would be injurious to the public good. The Tribunal classifies this publication as unconditionally indecent.

***The Very Best of Probe (1974)***

This somewhat dated publication consists of both photographs and text, with those photographs generally being of single female models. Some of the material in the publication would in the view of the Tribunal be injurious to younger readers, and accordingly it classifies this publication as indecent in the hands of persons under the age of 18 years.

***Harvey Presents 'D' Cups***

This is a fetish type magazine catering for those with an interest in the larger female breast. There are elements in the magazine however of a nature which justifies in the Tribunal's view an indecent classification. There are a number of photographs of heterosexual couples depicted engaged in intercourse, and there is also genital manipulation of a kind which causes concern to the Tribunal. The Tribunal is satisfied that this particular publication would be injurious to the public good and classifies it as unconditionally indecent.

***Game***

This too is a magazine which caters for persons with a fetish interest in the larger female breast. That which earns the publication an unconditionally indecent classification is its depiction of multiple model scenes of sexual activities between men and women, and between women. The magazine can best be described as cheap and nasty without anything by way of literary or other merit to alleviate the tawdry presentation. As indicated this magazine is classified as unconditionally indecent by the Tribunal.

***How To***

This publication which is allegedly produced as being an illustrated monthly journal of sexual techniques, and is certainly not in any way an improvement on Volume 6, No. 2 of this publication which the Tribunal in 1984 in Decision No. 15/84 classified as unconditionally indecent. On that occasion the Tribunal stated in its decision that "the text is vulgar and the illustrations offensive. The publication has no literary or artistic merit and its contents are of doubtful validity having regard to the sub title. Many of the photographs bear little relationship to the text. The appeal would be only for the lewd and prurient. It is classified as indecent."

The passage of time has not changed the Tribunal's view that this particular publication would be injurious to the public good and classifies this issue as unconditionally indecent.

***Hanging Breasts***

This publication consists essentially of photographs with a minimal text and the photographs depict the female breasts. There are a number of photographs which depict the genital region and because of those photographs the Tribunal is concerned that the publication may be injurious to younger readers and accordingly classifies this publication as indecent in the hands of persons under the age of 16 years.

***Partner***

This magazine contains numerous multiple model scenes of sexual activity between men and women and between women and there is little if any merit, literary, artistic or otherwise in respect of this publication. The Tribunal is satisfied that this magazine would be injurious to the public good and classifies it as unconditionally indecent.

***Miss Sadie Stern's Monthly*, Volume No. 10**

The cover of this particular magazine states that it is the "world's top selling domination magazine". The magazine carries many illustrations showing the domination of males by females in a sado-masochistic scenario. There are many photographs of intimate contact between the male and female models and the domination and sado-masochistic presentation coupled with the sexual content is clearly of a kind that would be injurious to the public good. The Tribunal classifies this particular magazine as unconditionally indecent.

Dated at Wellington this 21st day of June 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go11438

Decision No. 27/88  
Reference No.: IND 29/87

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Men Loving Men*:

*Chairman:* Judge R. R. Kearney.

*Members:* R. Barrington, A. J. Graham, K. Hulme and S. C. Middleton.

Hearing at Wellington on the 11th day of April 1988.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs. G. A. Ireland, counsel for the Lawrence Publishing Company of New Zealand Ltd.

#### **Majority Decision of Judge R. R. Kearney, R. Barrington and A. J. Graham**

This publication was privately imported at Wellington Airport and seized by the Collector of Customs, Wellington. The importer disputed forfeiture and the book has been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

*Men Loving Men* was considered by the Tribunal in June 1983 and in Decision No. 1065 it was classified as unconditionally indecent because it promoted and encouraged homosexual activity of a kind which was at that time a criminal offence in New Zealand. The Comptroller of Customs in his submission presented by Mr Wotherspoon sought a reconsideration by the Tribunal in respect of this publication in view of the major change to the law in relation to homosexual activity since the decision was issued.

Before dealing with the merits of the application there is a jurisdictional question which I need to consider.

Section 20 (1) of the Indecent Publications Act 1963 provides:

“20. Reconsideration of books and sound recordings—

- (1) Any person, with the leave of the Minister or, if such leave is refused, with the leave of the Chairman of the Tribunal, may submit any book or sound recording to the Tribunal for reconsideration of any decision, classification, or determination made in respect of it if not less than 3 years have elapsed since that book or recording was last considered by the Tribunal or [the High Court], and the Tribunal may alter or confirm the previous decision, classification, or determination.

The application for a decision in respect of this particular publication was lodged with the Tribunal on 9 December 1987 and signed by the Assistant Comptroller of Customs. There is nothing on the Justice department file to show that the Minister of Justice has granted leave for this publication to be submitted for the Tribunal's reconsideration. I have little doubt that the Minister would have granted such leave in the circumstances but as the matter was not referred to him the statutory power which I have to grant such leave is in such a case not available to me. I simply record that in the unlikely event of the Minister refusing such leave I would have in terms of the authority given to me under section 20 (1) granted leave for such a submission to be made.

Mr Ireland, counsel for Lawrence Publishing in addition to oral submissions which he made presented a memorandum of submissions to the Tribunal and I set out hereunder those submissions in full:

- “1. Lawrence Publishing represents in New Zealand Gay Sunshine Press the publisher of *Men Loving Men*. The book was previously considered by the Tribunal, together with *The Joy of Gay Sex*, in decision 37/82 dated 7 June 1983. In that decision both books were described as “...Homosexual sex manuals, akin to the style of heterosexual sex manuals, such as *The Joy of Sex*. They

cover all aspects of homosexual relations from physical lovemaking to the emotional considerations of such relationships. Both books are presented in a serious restrained manner.” It is submitted that this is an accurate description of *Men Loving Men* and that although the book is now more than 10 years old it contains much useful information that should be available to gay men. The reason given for the Tribunal classifying the book previously as unconditionally indecent was that it “promoted and encouraged homosexual activity . . . which, of course, is a criminal offence in New Zealand thereby liable to corrupt persons who might read them.” It is submitted that these reasons are now not applicable and should not be followed.

2. The Tribunal may consider that an age restriction may be appropriate. It is my submission that the book may be useful to young people coming to terms with their sexuality and that the book should be available to persons aged 16 years and over being the age of consent.”

Mr Ireland called two witnesses to give evidence in support of his submission that the Tribunal should reclassify *Men Loving Men* as indecent in the hands of persons under the age of 16 years. The first of those witnesses was Dr J. A. Broadmore a doctor of medicine, a member of the New Zealand Association of Sexologists and a doctor who works with rape victims and at the Aids clinic in Wellington. Dr Broadmore told the Tribunal that in her opinion the book aimed to give help and information to men and laid particular emphasis on the loving relationships which can be developed between homosexual men. Dr Broadmore's opinion of the publication was that although it was published in 1977 before Aids became the worldwide problem which it presents today and therefore carries no information about Aids or safe sex to prevent Aids it was nevertheless a tender and caring presentation of homosexual relationships and of considerable importance to the male homosexual community.

Mr W. K. Logan has spent many years working for the homosexual members of the community and is presently the longest serving member of the telephone switchboard counselling service in Wellington. In addition he is a founder member of the Aids Foundation. Mr Logan supported the granting of an age restriction to this publication although he acknowledged that it was somewhat dated in the presentation of certain of its material. In answer to a question from Ms Hulme, Mr Logan advised the Tribunal that as far as he was aware there was no book available which addressed the whole question of homosexual relationships and covered at the same time the question of Aids prevention and the problems associated with intravenous drug taking.

The Tribunal is unanimous in its view that the publication contains a great deal of information which would be helpful to those either in or contemplating commencing homosexual relationships. The publication is obviously one which has been very well researched and is sympathetically presented. There are however certain features in relation to it which concern the Tribunal and which in the final result have led the majority of the Tribunal to reach the conclusion that the original classification of unconditionally indecent must stand.

The first matter of concern is that the publication is now 11 years old and does not contain any treatment of the subject of Aids and the steps to be taken to avoid contamination by it. In that regard there is a section of the book devoted to group sex activities which would not be presented in the same format if the book were to be republished today.

The second aspect of the book which caused all members concern but which resulted in the majority reaching its decision not to change the classification was the section on S and M dealing with power roles, domination, discipline and sado-masochism. The Tribunal over the years has been consistent in its rejection of this type of material because it is

satisfied that it carries with it a real potential for harm to some individuals and is generally injurious to the public good.

Finally there is a very brief section on drugs as a means of enhancing sexual pleasure and although the editors stress the need to exercise caution in respect of such matters the Tribunal is satisfied that the inclusion of that particular material is also potentially dangerous to some individuals within the community and therefore injurious to the public good.

As previously indicated the majority of the Tribunal is satisfied that it would not be in the interests of the community to change the classification and it confirms its previous classification in terms of section 20 (1) of the Act as unconditionally indecent although not for the principal reasons advanced in relation to the earlier decision.

Dated at Wellington this 23rd day of June 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go11439

Decision No. 28/88

Reference No.: IND 21/87

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1962, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication:  
*Genesis*, October 1987.

*Chairman:* Judge R. R. Kearney.

*Members:* R. E. Barrington, A. J. Graham, K. Hulme and S. C. Middleton.

Hearing at Wellington on the 12th day of April 1988.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs.  
G. F. Ellis, counsel for Publisher and Distributor.

### Decision

This publication was imported by Gordon & Gotch (NZ) Ltd., through the port of Auckland as a sample shipment and referred to the Collector of Customs by the importer. In order that the publication could be placed before the Tribunal the document was in effect seized by the Collector of Customs and the importer having disputed forfeiture the magazine has been submitted to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The magazine is as described by Mr Wotherspoon on behalf of the Comptroller of Customs a *Penthouse* type publication with a range of articles, letters, photographs, interviews and that which has caused the Tribunal some concern a video review section.

The majority of the photographs in the magazine are of naked or semi-naked females in largely unobjectionable poses. There are however a minimum number of photographs in which the genitalia are exposed and the models pose in contrived positions. The Comptroller of Customs is concerned with the article "Video X: Couples Films" which is a review on X-rated videotapes available in the United States. This particular video review has been the subject of comment by the Tribunal in other decisions and in Decision 12/84 the Tribunal stated "there are photographs (mostly in the section dealing with reviews of X-rated videos) which would probably fail the "tripartite test" developed in respect of *Penthouse*. However there is only one such picture in each of the four issues. In the main, the photographs are reasonably restrained and are no worse than those which would appear in pictorial sections of *Penthouse* and while accepting that the photographs are of a type to which we have objected they are very different in size, detail and number."

The Tribunal is concerned to note that the number of

photographs in this section which are at least borderline have increased.

Mr Ellis on behalf of the publisher and distributor points out that the magazine which has previously received an R18 classification has remained constant in the balance of material and he further submits that a serial order should be granted by the Tribunal once sufficient copies of the magazine have been reviewed. In his written submission to the Tribunal Mr Ellis states:

"As in the previous submissions attached, it is again submitted that such instances as there may be of "multiplicity" and "intimacy" are incidental and in their context unobjectionable. Those items alone do not set the tone or dominant effect of the magazine and, it is submitted, do not on their own justify total censorship when the great bulk of the contents are, on the basis of previous decisions and criteria, acceptable with an age restriction.

Counsel also refers to the Tribunal's Decision Number 11/86 in respect of the publication *Genesis Girls/Girls*, Spring 1986. That magazine from the same Publishing House is indicative of the typical and consistent standard of *Genesis* in its pictorial presentations of female nudity. In that Decision, the Tribunal said:

"A proportion of those presentations are of the sexually contrived pose but in the main they are not as explicit as many of the photographs in *High Society*. The literary content is trivial and largely unobjectionable. The Tribunal is satisfied that the explicitness of some of the poses justifies that it be classified as indecent in the hands of persons under the age of 18".

Counsel submits that a classification of R18 is again appropriate."

The Tribunal has asked Mr Ellis to enquire of the publishers what steps the publishers are prepared to take if any to meet the concerns of the Tribunal for example by deleting from the magazine for the New Zealand market the whole of the video review section or including such a review but with the material censored to meet the concerns of the Tribunal.

The Tribunal is satisfied that this magazine contains material which would be injurious to the younger reader and accordingly classifies it as indecent in the hands of persons under the age of 18 years. At the request of both the Comptroller of Customs and the publisher and distributor the Tribunal is prepared to make an interim restriction order in terms of section 14A of the Indecent Publications Act 1963 and will give final consideration to imposing a serial order on the publication when the further issues are available for consideration by the Tribunal as required by section 15A of the Act.

Dated at Wellington this 23rd day of June 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go11440

Decision No. 29/88

Reference No.: IND 1/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication:  
*Drummer*, Issue 110, published by: Desmodus Inc., USA:

*Chairman:* Judge R. R. Kearney.

*Members:* R. Barrington, A. J. Graham, K. Hulme and S. Middleton.

Hearing at Wellington on the 14th day of April 1987.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, G. A. Ireland for importer.

### Decision

The publication *Drummer* is the subject of another decision issued almost simultaneously with this decision in which other volumes were found to be unconditionally indecent.

This particular publication was commercially imported at Auckland in November 1987 and seized by the Collector of Customs. The importer having subsequently disputed forfeiture, the book was referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. Like the other publications of its kind considered by the Tribunal at its sitting on 11 and 12 April this magazine presents themes of sado-masochism and bondage in both pictorial and written matter. For the same reasons as the Tribunal found in relation to the other *Drummer* publications it classifies this particular publication as unconditionally indecent.

Dated at Wellington this 8th day of July 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go11441

Decision No. 30/88

Reference No.: IND 31/8

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Penthouse* (US), Vol. 15, No. 3, November 1983; Publisher: Penthouse International Ltd., USA; *Penthouse* (US), Vol. 15, No. 12, August 1984; Publisher: Penthouse International Ltd., USA; *Penthouse* (US), Vol. 16, No. 5, January 1985; Publisher: Penthouse International Ltd., USA; *Penthouse* (US), Vol. 16, No. 8, April 1985; Publisher: Penthouse International Ltd., USA; *Penthouse* (US), Vol. 16, No. 9, May 1985; Publisher: Penthouse International Ltd., USA; *Penthouse* (US), Vol. 16, No. 10, June 1985; Publisher: Penthouse International Ltd., USA; *Penthouse* (US), Vol. 17, No. 4, December 1985; Publisher: Penthouse International Ltd., USA; *Penthouse* (US), Vol. 17, No. 11, July 1985; Publisher: Penthouse International Ltd., USA; *Players Classic*, Vol. 2, No. 11, August 1986; Publisher: Players International Publications, USA; *Learning to Love in Marriage*; Publisher: not known; *Tux*, Vol. 1, No. 1, March 1984; Publisher: Tux Magazine Inc., USA; *Swank* Vol. 33, No. 3, March 1986; Publisher: GCR Publishing Group Inc., USA; *X-Rated Cinema*, Vol. 9, No. 7, December 1985; Publisher: GCR Publishing Group Inc., USA; *Park Lane*, Vol. 1, No. 5; Publisher: not known; *Amazons Special*; Publisher: Tozerward Ltd., UK; *Amazons Special*, No. 7; Publisher: Tozerward Ltd., UK; *Gent's Super Stars*, Vol. 6, 1986; Publisher: Tozerward Ltd., UK; *Fling's D-Cup Contest*, No. 6, 1983; Publisher: Relim Publishing Co. Inc., USA; *Amazons Special*, No. 9; Publisher: Tozerward Ltd., UK; *Hanging Breasts*, No. 1, 1986; Publisher: American Art Enterprises Inc., USA; *50 + Plus*, No. 5; Publisher: not known; *Tip Top*, Vol. 25, No. 1, 1986; Publisher: American Art Enterprises Inc., USA; *Tip Top*, Vol. 25, No. 4, 1987; Publisher: American Art Enterprises Inc., USA; *Backside Babes*, Vol. 1, No. 2, 1986; Publisher: American Art Enterprises Inc., USA; *Wrestling Video Review*, Vol. 1, No. 1, 1986; Publisher: Tao Productions Inc., USA; *Kane Erotica Special*, "The Games People Play"; Publisher: Harrison Marks, UK; *Janus* No. 51, 1986; Publisher: Gatisle Ltd., UK; *Janus*, No. 59, 1987; Publisher: Gatisle Ltd., UK; *Roue*, No. 51; Publisher: Ram Books Ltd., UK; *Michaels Sweet Revenge*; Publisher: Centurian Publications, USA; *Bondage Artwork by Telado*; Publisher: Centurian Publications, USA; *Smooth*; Publisher: Swish

Publications Ltd., UK; *Victorian Erotica*, Vol. 1, No. 10, 1975; Publisher: Ben's Books Ltd., USA; *Club Latexa*, Vol. 2 (1978); Publisher: Centurian, USA; *Centurian's Latex Annual* (1982); Publisher: Centurian Publishing Co., USA; *Transvestite in Bondage*, Vol. 1, No. 5; Publisher: Centurian Publishing Co., USA:

*Chairman:* Judge R. R. Kearney.

*Members:* R. Barrington, A. J. Graham, K. Hulme and S. Middleton.

Hearing at Wellington on the 12th day of April 1988.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs; G. Ellis in respect of publications Penthouse USA and Park Lane. Another appearance on behalf of Importer—Exchange Traders Limited, Dunedin.

### Decision

These publications were commercially imported in October 1987 at Dunedin. The Collector of Customs at Dunedin seized these issues and the importer subsequently disputed forfeiture. The publications were referred to the Tribunal prior to commencement of condemnation proceedings pursuant to the Customs Act 1966. As indicated in another decision of the Tribunal in respect of this particular sitting, Mr Highly of Exchange Traders, the importer, was present on the first day of the Tribunal's sitting but unfortunately was unable to stay for the second day of the sitting. As in the other decision Mr Highly had, in respect of these publications, drawn the Chairman's attention to the fact that many of these publications were freely available in other retail outlets in New Zealand.

### Penthouse USA

All of these issues of *Penthouse* are United States editions covering the period November 1983 to July 1986. As the Comptroller of Customs pointed out through Mr Wotherspoon all of these issues contain multiple model scenes depicting the models in acts of intimacy which the Comptroller submitted contravene the 'tripartite test' as set out in Tribunal Decision 1054 of 18 March 1983. Mr Ellis informed the Tribunal that he had a watching brief in respect of these publications on behalf of the United States publications.

An earlier decision of this Tribunal declaring issues of *Penthouse* USA unconditionally indecent was the subject of an appeal to the High Court. This appeal has never been prosecuted and the Tribunal was informed by Mr Ellis that there is little likelihood that in fact the appeal would proceed.

The format in respect of these magazines remains virtually unchanged from that in respect of those publications which were classified as unconditionally indecent and at present stand as an unheard appeal matter. The Tribunal is conscious that the High Court has indicated to the Tribunal that although the 'tripartite test' may still be applied to material by the Tribunal, it does not have the force of law or legislation, nor should such be imported to it.

The magazine, with the exception of the material showing intimacy between the models depicted, is generally of a high standard of production containing a great mixture of material much of it of general interest to readers and not being sexually orientated. The Tribunal discussed this particular publication at some length during the course of its deliberations and it may well be that at some future date, when the matter is fully argued before the Tribunal, some lesser restriction than the unconditionally indecent classification which we now place on it might prove to be justified. In this regard the Tribunal is ever conscious of the fact that other censorship organisations do not adopt such a strict and rigid test of indecency as does this Tribunal. The Tribunal is satisfied, however, that on the information it has before it and on the basis of its previous decisions that there are aspects of this publication which would be injurious to the public good and as indicated classifies each of these particular publications as unconditionally indecent.

*Players Classic*

This is a special edition of *Players* magazine, a publication similar in format to *Playboy* although produced on a slightly lower quality paper. All of the photographic sequences are of single female models and there are some aspects of some of the presentation of photographs which caused the Tribunal concern. The Tribunal is satisfied that this publication is likely to be injurious to younger persons and accordingly classified it as indecent in the hands of persons under the age of 18 years.

*Learning to Love in Marriage*

This publication is one of many sex guidance instructional publications which come before the Tribunal for classification and decision. In a number of cases the Tribunal has been satisfied that it is in the interests of the community that such publications be available for older readers and in such cases those publications have largely been well and professionally produced and tastefully presented. The Tribunal agrees with the Comptroller of Customs in the comments made on his behalf by Mr Wotherspoon that the use of simulated intercourse and the poor quality of the publication and the use of different couples in the photographs raises considerable doubts as to the serious nature of this publication. The Tribunal has reached the conclusion that there is no honesty of purpose in the presentation of this publication and accordingly being satisfied that it would be injurious to the public good classifies it as unconditionally indecent.

*Tux*

This is a reasonably well produced magazine in the *Penthouse* style although both the media used and the photography do not come up to the quality of that particular magazine. That which earned this particular publication an unconditionally indecent classification is a photographic sequence covering seven pages and portraying scenes of heterosexual intimacy. As indicated the Tribunal classifies this publication as unconditionally indecent.

*Swank*

This magazine contains a very large amount of sexually explicit photographs showing models engaged in sexual activity both of a heterosexual and homosexual nature. The Tribunal classifies this publication as unconditionally indecent.

*X-rated Cinema*

In Decision 18/87 the Tribunal found Volume 9 No. 6 of this publication to be unconditionally indecent and noted in its decision that the magazine was "almost entirely devoted to the prurient aspects of sexual activity". This present publication is in exactly the same format and the Tribunal classifies it as unconditionally indecent as it would clearly be injurious to the public good.

*Park Lane*

Mr Ellis, in his submission on behalf of the United States publishers, drew to the Tribunal's attention the fact that this magazine does not infringe the 'tripartite test'. There are some aspects of the publication which cause concern to members of the Tribunal and in particular the concentration on the presentation of the female genitalia. The Tribunal is satisfied that this magazine would be injurious to younger readers and accordingly classifies it as indecent in the hands of persons under the age of 18 years.

*Amazons, Amazons Special, Gents Superstars, Flings D-Cup Contest, Hanging Breasts, 50 + Plus*

These magazines concentrate on the depiction in photographic form of the larger female breasts. Most of the magazines have minimal text and, with one exception, are all of single female models. There are certain aspects of the publications *Amazons, Amazons Special, Flings D-Cup Contest* and *Hanging Breasts* which the Tribunal is satisfied would be injurious to the younger readers and accordingly classifies each of these publications as indecent in the hands of persons under

the age of 18 years. In the case of the publication *Gents Superstars* there is nothing in the magazine which one could find of literary, artistic or social merit but there was a presentation under the title *3-D Showoffs* depicting three young women naked or partially clad and some of the photographs in that sequence show sexual activity and a degree of intimacy which the Tribunal is satisfied would be injurious to the public good if the publication was allowed to circulate in New Zealand. The Tribunal accordingly classifies *Gents Superstars* as unconditionally indecent.

The publication *50 +*, as indicted, is also one which concentrates on the larger female breasts but that which causes the Tribunal concern is a sequence of a female model in bondage who is also depicted in some of the photographs engaged in what the Tribunal agreed would be potentially harmful activities with her breasts. The Tribunal classifies this particular publication as unconditionally indecent.

*Tip Top, Backside Babes*

These publications are also fetish magazines with *Tip Top* focusing on legs and *Backside Babes*, on bottoms. The Tribunal is satisfied that these publications would be injurious to the younger readers and accordingly classifies each as indecent in the hand of persons under the age of 18 years.

*Wrestling Video Review*

The Tribunal unanimously agrees with Mr Wotherspoon on behalf of the Comptroller of Customs when he submits to the Tribunal that a combination of sex and violence is the hallmark of this publication. The photographs are generally of two nude or partly clad females in positions with strong sexual overtones. The Tribunal finds the alleged wrestling is, in many of its depictions in the way of photographs and certainly in the script, a subterfuge for the presentation of lesbian activity of a kind which the Tribunal has previously found to be unconditionally indecent. The Tribunal finds this particular publication unconditionally indecent and classifies it accordingly.

*Kane Erotica Special, Janus, Roue*

These publications deal with the spanking or caning of young females and that is depicted in both the text and photographs. The *Kane Erotica Special* replaces photographs with explicit drawings but the same style and tenor of the other publications is maintained. We repeat the Tribunal's concern that this style of publication featuring a combination of sex and violence against young females, is clearly injurious to the public good. The Tribunal accordingly classifies each of these publications as unconditionally indecent.

*Victorian Erotica Volume 1, No. 10*

This publication completely lacks any redeeming qualities and includes a significant amount of photographs of violence being administered to young models. The Tribunal classifies this publication as unconditionally indecent.

*Michael's Sweet Revenge, Bondage Artwork, Transvestite in Bondage*

Each of these publications is primarily concerned with female domination and bondage. There is little in the way of literary, artistic or social merit in the publications and the Tribunal is satisfied that each of these publications is injurious to the public good. The Tribunal classifies each as unconditionally indecent.

*Smooth, Centurians Latex Annual, Club Latexa, Volume 2*

These publications all deal with the topic of rubber fetishism. The Tribunal has, in many of its previous decisions, expressed its concern at the format of this type of publication. A great deal of the presentation is in respect of bondage elements and the Tribunal is concerned that such a presentation is injurious to the public good. Each of these publications is accordingly classified as unconditionally indecent.

Dated at Wellington this 8th day of July 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go11442

Decision No. 31/88

Reference No.: IND 3/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Assbackwards*, Vol. 2, No. 2; Publisher: unknown; *Assbackwards*, Vol. 3, No. 1; Publisher: unknown; *Assbackwards*, Vol. 3, No. 2; Publisher: SNC. USA; *Assbackwards*, Vol. 3, No. 3; Publisher: SNC. USA; *Assbackwards*, Vol. 3, No. 4; Publisher: SNC. USA; *Ass Ladies*, Vol. 1, No. 3; Publisher: unknown; *Ass Lasses*, Vol. 2, No. 1; Publisher: SNC. USA; *Asses and Ankles*, Vol. 1, No. 4; Publisher: SNC. USA; *Asses and Ankles*, Vol. 2, No. 2; Publisher: SNC. USA; *Back Side*, Vol. 1, No. 1; Publisher: unknown; *Back Side*, Vol. 1, No. 3; Publisher: SNC. USA; *Behind*, Vol. 1, No. 2; Publisher: unknown; *Behind*, Vol. 1, No. 4; Publisher: SNC. USA; *Behind*, Vol. 2, No. 1; Publisher: SNC. USA; *Big Ones*, Vol. 1, No. 1; Publisher: SNC. USA; *Big Ones*, Vol. 1, No. 2; Publisher: SNC. USA; *Big Titties*, Vol. 1, No. 4; Publisher: unknown; *Big Titties*, Vol. 2, No. 2; Publisher: SNC. USA; *Big Titties*, Vol. 2, No. 3; Publisher: SNC. USA; *Black and Bold*, Vol. 2, No. 1; Publisher: SNC. USA; *Black Lace*, Vol. 1, No. 4; Publisher: unknown; *Black Lasses*, Vol. 1, No. 2; Publisher: unknown; *Black Lasses*, Vol. 1, No. 3; Publisher: unknown; *Busty Vixens*, Vol. 1, No. 1; Publisher: SNC. USA; *Class Ass*, Vol. 3, No. 2; Publisher: SNC. USA; *Class Ass*, Vol. 3, No. 4; Publisher: SNC. USA; *Dark Nipples*, Vol. 1, No. 1; Publisher: SNC. USA; *Hanging Melons*, Vol. 1, No. 3; Publisher: unknown; *Hanging Melons*, Vol. 2, No. 1; Publisher: SNC. USA; *Hanging Melons*, Vol. 1, No. 4; Publisher: SNC. USA; *Hard Nips*, Vol. 1, No. 2; Publisher: SNC. USA; *Hot and Eager*, Vol. 1, No. 3; Publisher: unknown; *Hot and Eager*, Vol. 1, No. 4; Publisher: SNC. USA; *Hot and Eager*, Vol. 2, No. 1; Publisher: SNC. USA; *Hot and Eager*, Vol. 2, No. 2; Publisher: SNC. USA; *Hot and Eager*, Vol. 2, No. 3; Publisher: SNC. USA; *Lace and Satin*, Vol. 1, No. 1; Publisher: unknown; *Lace and Satin*, Vol. 1, No. 2; Publisher: unknown; *Lace and Satin*, Vol. 1, No. 3; Publisher: SNC. USA; *Latin and Lace*, Vol. 1, No. 2; Publisher: unknown; *Latin and Lace*, Vol. 1, No. 3; Publisher: SNC. USA; *Leggy Dolls*, Vol. 1, No. 3; Publisher: SNC. USA; *Leggy Dolls*, Vol. 1, No. 4; Publisher: SNC. USA; *Leggy Dolls*, Vol. 2, No. 1; Publisher: SNC. USA; *Lots-O-Legs*, Vol. 1, No. 1; Publisher: SNC. USA; *Lots-O-Legs*, Vol. 1, No. 3; Publisher: SNC. USA; *Lovely Legs*, Vol. 1, No. 1; Publisher: unknown; *Lovely Legs*, Vol. 1, No. 3; Publisher: SNC. USA; *Lovely Legs*, Vol. 1, No. 4; Publisher: SNC. USA; *Lusty Lasses*, Vol. 1, No. 1; Publisher: SNC. USA; *Mounds*, Vol. 1, No. 2; Publisher: unknown; *Mounds*, Vol. 3, No. 3; Publisher: SNC. USA; *Mounds*, Vol. 3, No. 4; Publisher: SNC. USA; *Panties and Bras*, Vol. 1, No. 4; Publisher: unknown; *Panties and Bras*, Vol. 2, No. 1; Publisher: SNC. USA; *Panties and Bras*, Vol. 2, No. 2; Publisher: SNC. USA; *Panty Pets*, Vol. 1, No. 4; Publisher: unknown; *Panty Pets*, Vol. 2, No. 2; Publisher: unknown; *Panty Pets*, Vol. 2, No. 3; Publisher: SNC. USA; *Panty Pets*, Vol. 2, No. 4; Publisher: SNC. USA; *Passion Pets*, Vol. 1, No. 1; Publisher: SNC. USA; *Passion Pets*, Vol. 1, No. 2; Publisher: SNC. USA; *Rear Ends*, Vol. 1, No. 1; Publisher: unknown; *Rear Ends*, Vol. 1, No. 2; Publisher: SNC. USA; *Rear Ends*, Vol. 1, No. 3; Publisher: SNC. USA; *Tits A Lot*, Vol. 1, No. 1; Publisher: SNC. USA; *Tits A Lot*, Vol. 1, No. 2; Publisher: SNC. USA;

*Tits A Lot*, Vol. 1, No. 3; Publisher: SNC. USA; *International Top Magazine*, No. 1; Publisher: International Top Press; *International Top Magazine*, No. 12; Publisher: International Top Press;

Chairman: Judge R. R. Kearney.

Members: R. Barrington, A. J. Graham, K. Hulme and S. Middleton.

Hearing at Wellington on the 12th day of April 1987.

Appearances: Mr Wotherspoon on behalf of Comptroller of Customs; no appearance on behalf of Importer.

### Decision

These publications were commercially imported in August 1987 by parcels post at Hamilton. The Collector of Customs seized the publications on 7 August 1987 and the importer subsequently disputed forfeiture. The magazines have been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Although there was no appearance on behalf of the importer at the hearing the Tribunal had earlier received some written submissions from the importer and it took those submissions into account in determining the classification of these particular magazines and its ultimate decision in relation to them. The magazines all predominantly feature single female models with little if any text. Each of the magazines portrays a theme through its photographs of large breasted women or women of a particular race. In addition to the presentation of females with large breasts there is also detailed photography of the anus and genitalia in some of the magazines. Many of these publications contain features which cause concern to the Tribunal but with the exception of the publication *Lace and Satin*, Vol. 1, No. 3 the Tribunal is satisfied that these publications would not be injurious to older readers and accordingly classifies each as indecent in the hands of persons under the age of 18 years.

*Lace and Satin*, Vol. 1, No. 3 carries the subtitle "Tender Chicks Hot For First Time Sex" and the whole format is clearly intended to persuade the reader that the young models depicted are young innocent and virginal but desirous of having sexual intercourse with whomsoever. One particular presentation, Michelle, depicts in the photographs a very young girl in sexually receptive poses accompanied by a text which the Tribunal finds would be injurious to the public good if the publication were allowed to be available in New Zealand. The story describes a sexual encounter with her stepfather and her initial reluctance but later acceptance of his gross sexual advances. As indicated the Tribunal is satisfied that this publication would be injurious to the public good and classifies it as unconditionally indecent.

Dated at Wellington this 8th day of July 1988.

Judge R. R. KEARNEY, Chairman.  
go11443

Decision No. 32/88

Reference No.: IND 16/86

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the publication: *One to One*, Parts 1-3:

Chairman: Judge R. R. Kearney.

Members: R. Barrington, A. J. Graham, and Dr S. C. Middleton.

Hearing at Wellington on the 28th day of July 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. F. Ellis for importer, Gordon & Gotch (N.Z.) Ltd.

**Decision**

Gordon & Gotch (NZ) Ltd. is in the process of importing and distributing a series of a publication with the title *One to One*. On 29 April 1988 an interim restriction order was made in respect of this publication with the classification that it is indecent in the hands of persons under the age of 16 years. The importer now seeks a determination from the Tribunal that all of the series of this publication be granted a section 15A Serial Restriction Order with the classification of indecent in the hands of persons under the age of 16 years.

*One to One*, as indicated, is a serial publication from Orbis Publishing Ltd., London, England. The subtitle as set out on the cover of the magazine is "All about your one-to-one relationships". In his submission on behalf of the Comptroller of Customs, Mr Wotherspoon describes the publication as one,

"dealing with emotional and sexual relationships. The three issues before the Tribunal appear to be well written and produced with a balanced approach to heterosexual relationships. The publication does, naturally, deal with contraception, and in view of the provisions of the Sterilisation, Contraception and Abortion Act 1977, restricting the age at which advice can be given on contraception, the Tribunal may wish to consider an age restriction for the magazine."

The distributor, Gordon & Gotch (NZ) Ltd., proposes an early launch-date preceded by extensive media advertising including television advertising. The publication will be available in weekly parts with the end result being an encyclopaedia style production for which binders will be available.

The Tribunal finds this publication to be very similar to *Face to Face* which was the subject of Decision No. 2/87 classifying it as indecent in the hands of persons under 16 years of age.

The Tribunal is satisfied that this is a serious publication but because it contains some sexually explicit material of a kind which would be injurious to younger readers and more particularly because it contains contraceptive advice of a kind which brings into consideration the provisions of the Contraception, Sterilisation and Abortion Act 1977, the Tribunal classifies *One to One* as indecent in the hands of persons under the age of 16 years. The Tribunal is satisfied, having seen a significant number of further issues of the publication, that there is an evenness in the presentation of a kind which justifies the making of a section 15A Serial Restriction Order and such an order is made accordingly.

Dated at Wellington this 28th day of July 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal. 1  
go11444

**Justices of the Peace Act 1957****Justice of the Peace Resignation**

It is noted for information that

Warwick Garth Benjamin Suckling of 26 Denny Avenue, Mount Roskill, Auckland 4

has resigned his appointment as Justice of the Peace for New Zealand.

Dated at Wellington this 7th day of October 1988.

D. OUGHTON, Secretary for Justice. 1  
go11427

**Justice of the Peace Resignation**

It is noted for information that

Allan Arthur Yeoman, of 18 Binnie Road, Katikati

has resigned his appointment as Justice of the Peace for New Zealand.

Dated at Wellington this 7th day of October 1988.

D. OUGHTON, Secretary for Justice. 1  
go11428

**Marriage Act 1955****Marriage (Approval of Organisations) Notice No. 25**

Pursuant to the Marriage Act 1955, The Registrar-General of Marriages, hereby gives notice as follows:

**Notice**

1. This notice may be cited as the Marriage (Approval of Organisations) Notice No. 25.
2. The organisation specified in the Schedule hereto is hereby declared to be an approved organisation for the purpose of the Marriage Act 1955.

**Schedule**

Unity Church of Christian Truth.

Dated at Lower Hutt this 4th day of October 1988.

B. E. CLARKE, Registrar-General. 4  
go11271

**Marriage (Approval of Organisations) Notice No. 26**

Pursuant to the Marriage Act 1955, The Registrar-General of Marriages, hereby gives notice as follows:

**Notice**

1. This notice may be cited as the Marriage (Approval of Organisations) Notice No. 26.
2. The organisation specified in the Schedule hereto is hereby declared to be an approved organisation for the purpose of the Marriage Act 1955.

**Schedule**

Heartbeat City Ministries.

Dated at Lower Hutt this 6th day of October 1988.

B. E. CLARKE, Registrar-General. 4  
go11282

**Oaths and Declarations Act 1957****Officer in the Ministry of Agriculture and Fisheries Authorised to Take Statutory Declarations**

Pursuant to section 9 of the Oaths and Declarations Act 1957, I hereby authorise the holder for the time being of the office in the service of the Crown specified in the Schedule below to take statutory declarations under the said Act.

**Schedule****Ministry of Agriculture and Fisheries**

North

Registrar, Flock House Farm Learning Centre, MAFTech.

Dated at Wellington this 27th day of September 1988.

PHILIP WOOLLASTON, Associate Minister of Justice.

(Adm. 3/28/3/5)  
go11430

## **Sale of Liquor Act 1962 Sale of Liquor Amendment Act 1976**

### **Notice of Intention to Vary Hours of Sale of Liquor at Licensed Premises—Marlborough Licensing Committee**

Pursuant to section 221A (14) of the Sale of Liquor Act 1962 as amended by section 22 (1) of the Sale of Liquor Amendment Act 1976, I, David Oughton, Secretary for Justice, hereby give notice that the Marlborough Licensing Committee on 15 September 1988 made an order authorising variations of the usual hours of trading for the licensed premises known as the Pier Hotel, Kaikoura.

To the intent that on days other than those on which licensed premises are required to be closed for the sale of liquor to the general public the hours for the opening and closing of the said premises shall be as follows:

#### **Non Daylight Saving**

(a) *On Monday to Saturday (inclusive):* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

#### **Daylight Saving**

(a) *On Monday to Thursday (inclusive):* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

(b) *On Friday and Saturday:* Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.

(c) *On Christmas Eve:* Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.

(d) *On New Year's Eve:* Opening at 11 o'clock in the morning and closing at 00.30 o'clock in the morning of New Year's Day.

Dated at Wellington this 10th day of October 1988.

D. OUGHTON, Secretary for Justice.  
go11429

## **Traffic Regulations 1976**

### **LPG Fuel System Approvals—Concessional Fuel Cylinder Approvals**

Pursuant to regulation 90B of the Traffic Regulations 1976\* (as inserted by the Traffic Regulations 1976, Amendment No. 7) and pursuant to the powers delegated to me by the Secretary for Transport, I, Hugh Cameron Matheson, Senior Automotive Engineer, hereby approve the components listed in the Schedule hereto for inclusion in any LPG automotive fuel system installed and operated in accordance with the requirements of New Zealand Standard NZS 5422, Part 1, 1987 (and any standard made in amendment thereto or in substitution therefor) subject to the conditions of approval set out in respect of any component in the said Schedule.

#### **Schedule**

##### **LPG Fuel Containers**

MOT Reference	Manufacturer	Country of Origin	Specification	Material	Inspection Authority	Working Pressure Rating (MPa)	Test Pressure (MPa)	Nominal Water Capacity (litres)
AF LO3C 032	Gregg Manufacturing	U.S.A.	ASME 8/1	Steel	ASME	2.15	2.58	72.9 (19.2 U.S. Gal)

## **Labour**

### **Factories and Commercial Premises Act 1981**

#### **Notice of Intention to Apply for Ministerial Approval of Code of Practice under the Factories and Commercial Premises Act 1981**

Pursuant to section 51 of the Factories and Commercial Premises Act 1981, I, Geoffrey Eric Wilson, the Chief Inspector of Factories of the Department of Labour, hereby give notice of my intention, after one month from the publication of this notice, to apply to the Minister of Labour for his approval of the "Code of Practice for the Prevention, Detection and Control of Fire and Explosion in New Zealand Dairy Industry Spray Drying Plant".

Dated at Wellington this 19th day of September 1988.

G. E. WILSON, Chief Inspector of Factories.  
go11432

## **Transport**

### **International Air Services Licensing Act 1947**

#### **Notice of Receipt of an Application for an International Air Service Licence**

Pursuant to section 7 of the International Air Services Licensing Act 1947, notice is hereby given that Cathay Pacific Airways Limited has applied for an International Air Service Licence to permit the licensee to operate a scheduled air service for the carriage of passengers, cargo and mail between Hong Kong and Auckland. Further details of the proposal may be obtained from the Secretary for Transport, Ministry of Transport, P.O. Box 3175, Wellington.

Any person or organisation wishing to make representations relating to this application must forward those representations in writing to reach me on or before 11 November 1988.

Signed at Wellington this 6th day of October 1988.

W. P. JEFFRIES,  
Minister of Civil Aviation and Meteorological Services.  
go11433

## **Traffic Regulations 1976**

### **LPG Fuel System Approvals—Concessional Fuel Cylinder Approvals**

Pursuant to regulation 90B of the Traffic Regulations 1976\* (as inserted by the Traffic Regulations 1976, Amendment No. 7) and pursuant to the powers delegated to me by the Secretary for Transport, I, Hugh Cameron Matheson, Senior Automotive Engineer, hereby approve the components listed in the Schedule hereto for inclusion in any LPG automotive fuel system installed and operated in accordance with the requirements of New Zealand Standard NZS 5422, Part 1, 1987 (and any standard made in amendment thereto or in substitution therefor) subject to the conditions of approval set out in respect of any component in the said Schedule.

#### **Schedule**

##### **LPG Fuel Containers**

MOT Reference	Manufacturer	Country of Origin	Specification	Material	Inspection Authority	Working Pressure Rating (MPa)	Test Pressure (MPa)	Nominal Water Capacity (litres)
AF LO3C 032	Gregg Manufacturing	U.S.A.	ASME 8/1	Steel	ASME	2.15	2.58	72.9 (19.2 U.S. Gal)



MOT Reference	Manufacturer	Country of Origin	Specification	Material	Inspection Authority	Working Pressure Rating (MPa)	Test Pressure (MPa)	Nominal Water Capacity (litres)
AF LO3C 033	Manchester Tank Co.	U.S.A.	ASME 8/1	Steel	ASME	1.72	2.58	87.8 (23.2 U.S. Gal)

#### Conditions of Approval

LPG fuel containers are approved subject to the following conditions—

1. That they be permanently and clearly marked, on a suitably attached metal plate, with characters not less than 6 mm high if space permits, but in any case not less than 3 mm high, displaying the following information:

- (a) The specification to which the container was manufactured.
- (b) The manufacturer's name or mark and the serial number of the container.
- (c) The date of the original container inspection and the identification mark of the inspection authority who made the inspection.
- (d) The date of any periodic container test and the identification mark of the cylinder testing station who made each test.
- (e) The container test pressure.
- (f) The nominal water capacity of the container.
- (g) The tare weight of the container.

2. That they be clearly marked or labelled to indicate that the container is suitable for use with LPG.

3. That they be provided with valve threads and fittings which provide the following functions:

- (a) Filling connection incorporating a non return valve.
- (b) Service valve incorporating an excess flow valve.
- (c) Contents gauge.
- (d) Pressure relief valve.
- (e) Fixed liquid level indicator.
- (f) Automatic fill limiter which prevents the container being filled beyond 85 percent of the total container capacity.

Note: Where both items 3 (e) and 3 (f) are not currently fitted to a container, then both items shall be fitted before a new installation of the container, or at the next test of the container, or if the container is removed from the vehicle for any reason, whichever occurs first. If an authorised person (defined in the Traffic Regulations 1976, Amendment No. 7), or a cylinder testing station, considers that the fitting of item 3 (f) is not practicable, due to the construction of the container, then a dispensation shall apply allowing the container to be used without item 3 (f). This dispensation shall only be valid until a suitable design of 3 (f) becomes available in New Zealand.

Valves and fittings shall have a service pressure rating of at least that of the container to which they are fitted and shall be dimensioned, threaded and marked in accordance with the requirements of section 2.2 of New Zealand Standard NZS 5422:1987 "The Use of LPG and CNG Fuels in Internal Combustion Engines—Part 1 LPG Fuel".

4. That they be tested prior to installation, and at periods stipulated in the Traffic Regulations 1976, Amendment No. 15, in accordance with the requirements of Australian Standard AS 2337.1-1987 or in accordance with the periodic test requirements laid down in the specification to which the container was manufactured.

5. That they be fitted to a motor vehicle in such a position that they will not be subject to the direct rays of the sun, either by fitting them within a suitable vehicle compartment, or by providing a suitable shield if the cylinders are fitted to the exterior of the vehicle.

6. The terms of this approval do not allow the continued importation of such LPG fuel cylinders and it does not apply to cylinders which have not been installed in a motor vehicle by 31 December 1985.

Note: The effect of this notice is to allow the continued use of LPG fuel cylinders which are known to have been imported into New Zealand prior to the introduction of the Dangerous Goods (Class 2—Gases) Regulations 1980 and which were acceptable under the previous dangerous goods requirements, but whose working pressure rating would disqualify them for approval for general use under the Traffic Regulations 1976. They are approved subject to the additional proviso that they must not be exposed to direct sunlight (to reduce the possibility that solar radiation would raise the temperature of the contents of the cylinder such that the developed pressure of the cylinder contents exceeded the working pressure rating of the cylinder).

Dated at Wellington this 6th day of October 1987.

H. C. MATHESON, Senior Automotive Engineer.

\*S.R. 1976/227

(M.O.T. 14/1/17/20)

go11383

1

#### CNG Fuel System Approvals

Pursuant to regulation 90B of the Traffic Regulations 1976\* and pursuant to the powers delegated to me by the Secretary for Transport, I, Hugh Cameron Matheson, Senior Automotive Engineer, hereby approve the components listed in the Schedule hereto for inclusion in any CNG fuel system installed and operated in accordance with the requirements of New Zealand Standard NZS 5422, Part 2, 1987 (and any standard made in amendment thereto or in substitution therefor) subject to the conditions of approval set out in respect of any component in the said Schedule.

## Schedule

**CNG Steel Fuel Cylinders**

<i>MOT Reference</i>	<i>Manufacturer</i>	<i>Country of Origin</i>	<i>Specification</i>	<i>Material</i>	<i>Inspection Authority</i>	<i>Test Pressure (MPa)</i>
AF CO3B 024	Faber	Italy	NZ-RI 1616	Steel	Lloyds	30.0

in accordance with the following three drawing No. only—

NZ-316-300-828/REV 4  
 NZ-355-300-828/REV 4  
 NZ-390-300-840/REV 4

**Conditions of Approval**

These CNG fuel cylinders are approved subject to the following conditions—

1. That they comply with all the design, performance, and test requirements of the New Zealand Code of Practice RI 1616 for lightweight automotive CNG cylinders, as applicable to steel cylinders.
2. That they be provided with a cylinder shut off valve designed for the cylinder working pressure and compatible with the test pressure of the cylinder. Cylinder shut off valves shall be fitted with a handwheel to facilitate ease of opening and closing of the valve and shall be fitted with a pressure relief device, which remains in contact with the gas contained in the cylinder whether the handwheel is in the open or closed position, comprising of a burst disc backed by fusible alloy having a nominal melt temperature of 100°C. Should the alloy melt the burst disc shall yield at a pressure of not less than 24.7 MPa and not more than the test pressure of the cylinder, otherwise it shall remain inoperative. Cylinder valves shall be provided with an outlet thread of ¼ inch NPT (female) and a stem thread compatible with the cylinder neck thread.
3. That they be tested at periods not exceeding 5 years, in accordance with the requirements of Australian Standard AS 2337-1987 Part 1, or in accordance with the periodic test requirements (if any) laid down in the specification to which the cylinder was manufactured.
4. Cylinder markings are in accordance with clause 7.
5. Neck threads are in accordance with clause 3.5 of RI 1616.

Dated at Wellington this 4th day of October 1988.

H. C. MATHESON, Senior Automotive Engineer.

\*S.R. 1976/227

(M.O.T. 14/1/17/20)

go11153

**Transport Act 1962****The Traffic (Manukau City-Manurewa Ward) Notice No. 1, 1988**

Pursuant to the Transport Act 1962, a delegation from the Minister of Transport, and a subdelegation from the Secretary for Transport, I, Carne Maurice Clissold, Chief Traffic Engineer, give the following notice:

**Notice**

This notice may be cited as the Traffic (Manukau City-Manurewa Ward) Notice No. 1, 1988.

The roads specified in the First Schedule are excluded from the limitation as to speed imposed by section 52 of the Transport Act 1962.

The roads specified in the Second Schedule are declared to be 70 kilometres an hour speed limit areas pursuant to regulation 21 (2) of the Traffic Regulations 1976.

The roads specified in the Third Schedule are declared to be closely populated localities for the purposes of section 52 of the Transport Act 1962.

So much of the Traffic (Manukau City-Manurewa Ward) Notice No. 1 1987, signed on the 13th day of October 1987\*, which relates to roads in the Schedule below, issued pursuant to section 52 of the Transport Act 1962, and regulation 21 (2) of the Traffic Regulations 1976 is revoked.

**First Schedule**

Situated within Manurewa Ward of Manukau City:

Cavendish Drive: from Lambie Drive to the Papatoetoe City Boundary.

Porchester Road: from Walters Road to Airfield Road and

from a point 200 metres measured northerly, generally, along the said road from Manuroa Road to Alfriston Road.

Oakleigh Avenue: from a point 140 metres measured northerly, generally, along the said avenue from Manuroa Road to Spartan Road.

Puhinui Road: from a point 300 metres measured westerly, generally, along the said road from the Papatoetoe City Boundary to the western termination of the said road.

Rangi Road.

Spartan Road.

Westbrook Road.

**Second Schedule**

Situated within Manurewa Ward of Manukau City:

Cavendish Drive: from Lambie Drive to the Papatoetoe City Boundary.

Oakleigh Avenue: from a point 140 metres measured northerly, generally, along the said avenue from Manuroa Road to Spartan Road.

Porchester Road: from a point 180 metres measured southerly, generally, along the said road from Hyperion Drive to a point 580 metres measured northerly, generally, along Porchester Road from Hyperion Drive and from 400 metres measured southerly, generally, along the said road from Airfield Road to Airfield Road.

Rangi Road.

Spartan Road.

Westbrook Road.

**Third Schedule**

Situated within Manurewa Ward of Manukau City:

Lambie Drive.

Ronwood Avenue.

Signed at Wellington this 6th day of October 1988.

C. M. CLISSOLD, Chief Traffic Engineer.

\**New Zealand Gazette*, No. 184, dated 22 October 1987, page 4847.

(M.O.T. 29/2/Manukau City-Manurewa Ward) 1  
go11434

### **The Traffic (Manukau City-Pakuranga/Clevedon Wards) Notice No. 1, 1988**

Pursuant to the Transport Act 1962, a delegation from the Minister of Transport, and a subdelegation from the Secretary for Transport, I, Carne Maurice Clissold, Chief Traffic Engineer, give the following notice:

#### **Notice**

This notice may be cited as the Traffic (Manukau City-Pakuranga/Clevedon Wards) Notice No. 1, 1988.

The roads specified in the First Schedule are excluded from the limitation as to speed imposed by section 52 of the Transport Act 1962.

The roads specified in the Second Schedule are declared to be 70 kilometres an hour speed limit areas pursuant to regulation 21 (2) of the Traffic Regulations 1976.

So much of the Traffic (Manukau-Pakuranga/Clevedon Wards) Notice No. 1, 1985, signed on the 31st day of January 1985†, which relates to roads in the Schedule below, issued pursuant to section 52 of the Transport Act 1962, and regulation 21 (2) of the Traffic Regulations 1976 is revoked.

#### **First Schedule**

Situated within Pakuranga and Clevedon Wards of Manukau City:

Botany Road: from a point 940 metres measured southerly, generally, along the said road from the southern boundary of Howick Borough to East Tamaki Road.

Point View Drive.

Whitford Road: from the Howick Borough Council Boundary to a point 450 metres measured southerly, generally, from Edgar Pearce Road.

#### **Second Schedule**

Situated within Pakuranga and Clevedon Wards of Manukau City:

Point View Drive.

Signed at Wellington this 6th day of October 1988.

C. M. CLISSOLD, Chief Traffic Engineer.

†*New Zealand Gazette*, No. 24, dated 14 February 1985, page 538.

(M.O.T. 29/2/Manukau City-Pakuranga/Clevedon Wards) 1  
go11425

### **Transport Licensing Authority Sitting**

Pursuant to the Transport Act 1962, the No. 6 Transport District Transport Licensing Authority (W. O'Brien), gives notice of the receipt of the following application and will hold a public sitting at the place, time and date stated to hear evidence or representations, whether submitted in writing or presented in person, for or against granting it.

*Conference Room, Government Centre, Miriama Street, Taumarunui on Wednesday, 2 November 1988 at 9.30 a.m.*

A06/88/03211 Pioneer Jet Boat Tours Ltd., Taumarunui: Amend Passenger Service Licence No. 09050 as follows:

(a) By the addition of the service Taumarunui - Ohura and return: Thursdays only.

(b) The right to cart goods.

The proposed service may be inspected at the applicant's address: 4 Taringamotu Road, Taumarunui or at the Ministry of Transport, Pearse House, Wellington.

Dated at Wellington this 7th day of October 1988.

J. MOIR, Secretary, Transport Licensing Authority. 1  
go11272

### **The Traffic (Manukau City-Mangere/Otara Wards) Notice No. 1, 1988**

Pursuant to the Transport Act 1962, a delegation from the Minister of Transport, and a subdelegation from the Secretary for Transport, I, Carne Maurice Clissold, Chief Traffic Engineer, give the following notice:

#### **Notice**

This notice may be cited as the Traffic (Manukau City-Mangere/Otara Wards) Notice No. 1, 1988.

The roads specified in the First Schedule are excluded from the limitation as to speed imposed by section 52 of the Transport Act 1962.

The roads specified in the Second Schedule are declared to be 70 kilometres an hour speed limit areas pursuant to regulation 21 (2) of the Traffic Regulations 1976.

The roads specified in the Third Schedule are declared to be closely populated localities for the purposes of section 52 of the Transport Act 1962.

So much of the Traffic (Manukau City-Mangere/Otara Wards) Notice No. 2, 1987, signed on the 12th day of October 1987\*, which relates to roads in the Schedule below, issued pursuant to section 52 of the Transport Act 1962, and regulation 21 (2) of the Traffic Regulations 1976 is revoked.

#### **First Schedule**

Situated within Mangere and Otara Wards of Manukau City:  
Harris Road.

Point View Drive.

Ti Rakau Drive.

#### **Second Schedule**

Situated within Mangere and Otara Wards of Manukau City:  
Harris Road.

Point View Drive.

Ti Rakau Drive: from the Pakuranga Creek to a point 300 metres measured easterly, generally, along the said road from Harris Road.

#### **Third Schedule**

Situated within Mangere and Otara Wards of Manukau City:  
Allens Road.

Greenmount Drive.

Polaris Place.

Signed at Wellington this 6th day of October 1988.

C. M. CLISSOLD, Chief Traffic Engineer.

\**New Zealand Gazette*, No. 178, dated 15 October 1987, page 4729.

(M.O.T. 29/2/Manukau City-Mangere/Otara Wards) 1  
go11431

### **Transport Licensing Authority Sitting**

Pursuant to the Transport Act 1962, the No. 6 Transport District Licensing Authority (W. O'Brien), gives notice of the receipt of the following application and will hold a public sitting to receive evidence or representations, whether submitted in writing or presented in person, for or against the granting of it.

Commencing Tuesday, 1 November 1988 at 10.30 a.m. at the No. 2 Courtroom, Market Place, Wanganui.

A6/88/14: Wanganui Co-operative Taxi Society Ltd., Wanganui: Consider an application by the above company for an increase in operating fees.

### **Review of the Wanganui City Taxicab Service under Section 144 of the Transport Act 1962**

The purpose of the review is to ascertain whether the services are adequate to meet the reasonable public demand and whether or not the services are being carried on in an efficient manner; and whether or not the grant of additional licences would materially affect the economic stability of other holders of taxicab service licences.

Dated at Wellington this 12th day of October 1988.

J. MOIR, Secretary.

No. 6 Transport District Licensing Authority. 1  
go11273

### **Transport Licensing Authority Sitting**

Pursuant to the Transport Act 1962, the No. 8 Transport District Transport Licensing Authority (I. P. Wollerman), gives notice of the receipt of the following applications and will hold a public sitting at the place, time and date stated to hear evidence or representations, whether submitted in writing or presented in person, for or against granting them.

*Auxiliary Courtroom, District Court, Bridge Street, Nelson on Friday, 28 October 1988 at 9.30 a.m.*

A08/88/03187 John Frederick Stade, Nelson: Transfer Taxicab Service Licence No. 91511 from Michael Gerhard Van Steeden, Nelson. One Public Hire Cab Authority, City of Nelson and Waimea County.

A08/88/03125 Vernon Brian Snow, Nelson: Transfer Taxicab Service Licence No. 26465 from Thomas Joseph Pretty, Nelson. One Public Hire Cab Authority, City of Nelson and Waimea County.

A08/88/03184 Torben Helge Windelov and Rosemary Margaret Windelov, Blenheim: A new Passenger Service Licence with the special condition to authorise the operation of a scheduled timetable service as follows:

**Route:** Blenheim to Nelson and return daily. The proposed service and timetable may be inspected at the applicant's premises: 55 Grove Road, Blenheim and at the Ministry of Transport, Pearce House, Wellington.

A08/88/03134 John Edward Ruesink and Charmaine Julie Ruesink, Marlborough: Amend Passenger Service Licence No. 07631 as follows: By extending the service to include Te Tawaka and return.

A08/88/03217 Michael James Brady, Nelson: A new Passenger Service Licence with the special condition to authorise the operation of a scheduled Timetable Service as follows:

(A) Tours of Nelson province.

(B) Shuttle service from Tahuna Motor Camp to Horatios Night Club and return.

The proposed service may be inspected at the Public Relations Office, corner Trafalgar and Halifax Streets, Nelson and at the Ministry of Transport, Pearce House, Wellington.

Dated at Wellington this 7th day of October 1988.

J. MOIR, Secretary, Transport Licensing Authority. 1  
go11274

### **Instrument of Authorisation**

#### **Issue of Certificates as to Testing and Accuracy of Weighing Devices**

I, William Patrick Jeffries, Minister of Transport, acting pursuant to section 197 (1) (a) of the Transport Act 1962 hereby authorise

Ronald Stewart Kilburn

as a person approved to test weighing devices.

Signed at Wellington this 8th day of September 1988.

W. P. JEFFRIES, Minister of Transport. 1  
go11167

### **Transport Licensing Authority Sitings**

Pursuant to the Transport Act 1962, the Auckland and No. 2 Transport Districts Transport Licensing Authority (J. M. Foster), gives notice of the receipt of the following applications and will hold a public sitting at the places, times and dates stated to hear evidence or representations, whether submitted in writing or presented in person, for or against granting them.

*Room 924, Ninth Floor, Customhouse Building, Quay Street, Auckland on Monday, 31 October 1988 Commencing at 10 a.m.*

aAU/88/03136 Mateo Ah Colt, Auckland: Transfer Taxicab Service Licence No. 98735 from L. E. F. Winsley, Auckland with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03131 Ronald Walter Wright, Auckland: Transfer Taxicab Service Licence No. 98740 from Jean Lorraine Wright, Auckland with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03091 Abdul Sheraz Hussian Sahib, Auckland: Transfer Taxicab Service Licence No. 98383 from Convair Investments Ltd., Auckland with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03090 Gary Michael Menzies, Auckland: Transfer Taxicab Service Licence No. 18376 from Ida May Clark, Mount Albert with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03089 Tasman Tubuai Utatao, Auckland: Transfer Taxicab Service Licence No. 98439 from Harry Fong, Auckland with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03063 Harold William George Mirko, Auckland: Transfer Taxicab Service Licence No. 98438 from James Arthur Flegg, Auckland with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03062 Sidney Neilson and Carole Maraea Neilson, Auckland: Transfer Taxicab Service Licence No. 07387 from Roger Bernard McGivern, Ponsonby with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03055 David Keith Ltd., Auckland: Transfer Taxicab Service Licence No. 09895 from Vincent Proftus Stowers, Auckland with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03054 Deborah Margaret McPherson, Auckland: Transfer Taxicab Service Licence No. 18385 from Ian Lloyd Cossill, Henderson with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/03050 Farquhar Taxis Ltd., Auckland: Lease Taxicab Service Licence No. 09776 from Samuel Lowes, Milford with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/02986 Jacqueline Anne Wellington, Auckland: Transfer Taxicab Service Licence No. 98431 from Ronald Phillip Farmer and Lorraine Evelyn Farmer, Auckland with

one Public Hire Cab Authority to operate as follows: Auckland Transport District.

aAU/88/02979 Colleen Rose Taipari, Auckland: Transfer Taxicab Service Licence No. 19288 from Peter James Garland, Te Atatu South with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

*Commencing at 2 p.m.*

aAU/88/03130 Bruce William Welch, Auckland: Transfer Taxicab Service Licence No. 18146 from Stuart Nelson Hudson, Auckland 3 with one Public Hire Cab Authority to operate as follows: Auckland Transport District.

a02/88/03135 Christopher Peter Mallard, Milford: Transfer Taxicab Service Licence No. 98941 from Christopher Peter Mallard and Warwick Page Revell, Milford with one Public Hire Cab Authority to operate as follows: North Shore.

a02/88/03176 Simiti Mickey Westerlund, Auckland: Transfer Taxicab Service Licence No. 98201 from James Kevin and Joyce Elizabeth Agnew, Auckland with one Public Hire Cab Authority to operate as follows: South Auckland.

a02/88/03155 Venasio Lapalapa, Auckland: Transfer Taxicab Service Licence No. 18796 from Ace Taxis Ltd., Papatoetoe with one Public Hire Cab Authority to operate as follows: South Auckland. Cab Authority No. 15984 only to be transferred.

a02/88/03073 Francis Ist Deo Sharma, Otara: Transfer Taxicab Service Licence No. 18796 from Ace Taxis Ltd., Papatoetoe with one Public Hire Cab Authority to operate as follows: South Auckland. Cab Authority No. 16306 only to be transferred.

a02/88/02977 Ian Lloyd Cossill, Henderson: Transfer Taxicab Service Licence No. 98915 from Horace Benjiman Rimmer, Henderson with one Public Hire Cab Authority to operate as follows: West Auckland.

a02/88/03132 Anthony Brian Musson, Henderson: Transfer Taxicab Service Licence No. 98913 from Kevin Michael Musson and Dianne Fay Musson, Henderson with one Public Hire Cab Authority to operate as follows: West Auckland.

*Room 924, Ninth Floor, Customhouse Building, Quay Street, Auckland on Tuesday, 1 November 1988  
Commencing at 10 a.m.*

A02/88/03012 Birkenhead Transport Ltd., Birkenhead: Amend Passenger Service Licence No. 17906 by amending the service as follows:

(A) Extending the Route for the Wairau Road Service to include the Albany Industrial Area.

*Route*—Beachhaven Road, Birkenhead Avenue, Archers Road, Wairau Road, State Highway 1, Bush Road, William Pickering Street, Rockwell Avenue and vice versa.

*Timetable:—*

Depart Beachhaven (a.m.) 6.10 TH, 6.35T, 6.50, 7.08.

Depart Albany (p.m.) 4.05, 4.30, 5.10T, 5.35T

(H) Travels Onewa Road, Northcote Road, North Shore Hospital.

(T) Denotes Transfer at Highbury.

(B) Extending the Chatswood Service to View Road.

A02/88/03199 Murray Edward McCall, Pukekohe: A new Passenger Service Licence.

A02/88/03198 Larry Ian McCall, Pukekohe: A new Passenger Service Licence.

A02/88/03197 Wayne Bruce McCall, Pukekohe: A new Passenger Service Licence.

*Commencing at 11 a.m.*

A02/88/02944 Karl Brown, Auckland: A new Goods Service Licence.

A02/88/01924 Max Rangitane Woodard, Mount Wellington: A new Goods Service Licence.

*Commencing at 2 p.m.*

A02/88/03148 Warren Micheal Fraser, Auckland: A new Goods Service Licence.

A02/88/03059 Adrian Rhys Van Den Anker, Auckland: A new Goods Service Licence.

A02/88/02898 Kevin Rex Ansell, Whangamata: A new Rental Service Licence.

J. H. McCARTHY.

Secretary, Transport Licensing Authority.

go11281

1

## Authorities and Other Agencies of State

### PostBank

### Post Office Savings Bank Regulations 1985

### Bonus Bonds Weekly Prize Draw No. 2, October 1988

Pursuant to the Post Office Savings Bank Regulations 1985, notice is hereby given that the result of the weekly Prize Draw No. 2 for 8 October is as follows:

One prize of \$50,000: 1018 079757

Fourteen prizes of \$5,000: 034 737374, 119 452383, 1119 104468, 1694 445463, 2089 146922, 3797 176468, 4989 644924, 5397 140470, 6498 168745, 6980 749666, 7083 568111, 7785 148542, 7891 246044 and 7993 922907.

ROGER DOUGLAS, Minister of Finance.

au11280

## Reserve Bank

### Reserve Bank of New Zealand Act 1964

#### Reappointing a Director of the Reserve Bank of New Zealand

RONALD DAVISON, Administrator of the Government

#### ORDER IN COUNCIL

At Wellington this 3rd day of October 1988

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT  
IN COUNCIL

Pursuant to the Reserve Bank of New Zealand Act 1964, His Excellency the Administrator of the Government, acting by

and with the advice and consent of the Executive Council, hereby reappoints

Suzanne Lee Snively of Wellington as a Director of the Reserve Bank of New Zealand,

to hold office during pleasure for a term of 3 years from the 5th day of November 1988.

MARIE SHROFF,  
Clerk of the Executive Council.  
au11368

#### Statement of Assets and Liabilities of the Reserve Bank of New Zealand as at the Close of Business on Wednesday, 21 September 1988

<i>Liabilities</i>	\$(000)	<i>Assets</i>	\$(000)
Overseas liabilities—		Overseas assets—	
Denominated in overseas currencies—		Denominated in overseas currencies—	
(a) Short term .. .. .	1,054,908	(a) Short term .. .. .	1,458,175
(b) Long term .. .. .	96,877	(b) Long term .. .. .	15,355
Denominated in New Zealand currency—		(c) Holdings of I.M.F. special drawing rights .. .. .	6,514
(a) Short term .. .. .	50,271	Denominated in New Zealand currency—	
(b) Long term .. .. .	—	(a) Short term .. .. .	—
	1,202,056	(b) Long term .. .. .	2,260
Allocation of special drawing rights by I.M.F. .. .. .	298,525	Gold .. .. .	15,719
Deposits—			1,498,023
(a) Government:		Advances and discounts—	
Public account .. .. .	—	(a) Government:	
Other .. .. .	125,303	Public account .. .. .	205,672
(b) Settlement Banks .. .. .	22,171	Other .. .. .	—
(c) Stabilisation accounts .. .. .	127,924	(b) Settlement Banks:	
(e) Other .. .. .	113,737	One day advance .. .. .	179,000
	389,135	Other .. .. .	1,448
Reserve Bank Bills .. .. .	278,226	(c) Other .. .. .	160
Banknotes in circulation .. .. .	1,007,191		386,280
Other liabilities .. .. .	97,322	Term Loans—	
Reserves—		(a) Government .. .. .	228,919
(a) General reserve .. .. .	192,947	(b) Marketing organisations .. .. .	50,000
(b) Other reserves .. .. .	130,466		278,919
(c) Profit and loss appropriation account .. .. .	—	Investments in New Zealand—	
	323,413	(a) New Zealand Government Securities .. .. .	914,123
		(b) Other .. .. .	6,909
			921,032
		Other assets .. .. .	511,614
	\$3,595,868		\$3,595,868

G. K. FROGGATT, Chief Manager, Corporate Services.  
au11435

## Land Notices

### Conservation

#### Conservation Act 1987

##### Declaring Land to be Held for Conservation Purposes

Pursuant to section 7 (1) of the Conservation Act 1987, the Minister of Conservation hereby declares that the land in the Schedule hereto is held for conservation purposes and it shall hereafter be so held.

##### Schedule

##### *Marlborough Land District—Borough of Blenheim*

1034 square metres, more or less, being Lot 2, D.P. 960, situated in Block XVI, Cloudy Bay Survey District.

##### *Marlborough Land District—Marlborough County*

2324 square metres, more or less, being Sections 195 and 196, Town of Havelock, situated in Block XII, Wakamarina Survey District, S.O. Plan 1671.

Dated at Wellington this 28th day of September 1988.

HELEN CLARK, Minister of Conservation.

(C.O. LAN 0016; R.O. Bui 012)

3/1

ln11166

### Declaring Land to be Held for Conservation Purposes

Pursuant to section 7 (1) of the Conservation Act 1987, the Minister of Conservation hereby declares that the land in the Schedule hereto is held for conservation purposes and it shall hereafter be so held.

#### Schedule

##### *Nelson Land District—Borough of Richmond*

613 square metres, more or less, being part Section 227, Waimea East District, situated in Block VII, Waimea Survey District. Part balance of certificate of title 157/91. (S.O. Plans 9523 and 13009).

Dated at Wellington this 28th day of September 1988.

HELEN CLARK, Minister of Conservation.

(C.O. LAN 0016; R.O. Bui 012)

3/1

ln11168

### Declaring Land to be Held for Conservation Purposes

Pursuant to section 7 (1) of the Conservation Act 1987, the Minister of Conservation hereby declares that the land in the Schedule hereto is held for conservation purposes and it shall hereafter be so held.

#### Schedule

##### *Nelson Land District—Borough of Richmond*

501 square metres, more or less, being part Section 26, Waimea East District, situated in Block VII, Waimea Survey District. Part balance of certificate of title 157/91 (S.O. Plan 9523).

Dated at Wellington this 28th day of September 1988.

HELEN CLARK, Minister of Conservation.

(C.O. LAN 0016; R.O. Bui 012)

3/1

ln11170

## Reserves Act 1977

### Authorisation of the Exchange of Part of a Reserve for Other Land

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Director of Land and Fauna of the Department of Conservation hereby authorises the exchange of the reserves described in the First Schedule hereto, for the land described in the Second Schedule hereto.

#### First Schedule

##### *Canterbury Land District—Ashburton County*

200 square metres, more or less, being part Lot 13, D.P. 38205, shown as Lot 2 on L.T. Plan 52983, situated in Block VII, Spaxton Survey District. Part certificate of title 16K/179.

#### Second Schedule

##### *Canterbury Land District—Ashburton County*

486 square metres, more or less, being part Lot 2, D.P. 48204, shown as Lot 4 on L.T. Plan 52983, situated in Block VII, Spaxton Survey District. Part certificate of title 27B/149.

Dated at Wellington this 1st day of October 1988.

J. HOLLOWAY, Director, Land and Fauna.

(D.O.C. C.O. LAN 0025; R.O. 1/20/7/2; D.O. 8/261)

3/1

ln11165

### Appointment of Clifton No. 2 Recreation Reserve Board

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Manager, Wanganui, Department of Conservation hereby appoints:

David MacLeod who shall be Chairman.

David Law representing the Hawkes Bay County Council, ex-officio.

Colin McLanachan representing the Hastings City Council, ex-officio.

Rex Mossman.

Peter Murton.

Ray Newdick.

Peter Orviss.

Brian Phillips representing the Havelock North Borough Council, ex-officio,

to be the Clifton No. 2 Recreation Reserves Board to have control of the reserves described in the Schedule hereto, subject to the provisions of the said Act, as a recreation reserve, for a 2 year term from 13 June 1988.

#### Schedule

##### *Hawkes Bay Land District*

11.5722 hectares, more or less, being Section 7, Block II, Kidnappers Survey District and Section 10, Block V, Clive Survey District.

Dated at Wanganui this 3rd day of October 1988.

J. CONNELL, Regional Manager.

(D.O.C. C.O. R.O. 9/5; D.O. 9/5)

1

ln11169

### Vesting of a Reserve in the Manukau City Council

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Northern Regional Manager, Department of Conservation hereby vests the reserve described in the Schedule hereto, in the Manukau City Council, in trust for recreation purposes.

#### Schedule

##### *North Auckland Land District—Manukau City*

1.9053 hectares, more or less, being part Lot 161, D.P. 58968, situated in Blocks V and IX, Otahuhu Survey District. Part *New Zealand Gazette*, 1972, page 313.

Dated at Auckland this 3rd day of October 1988.

G. E. ROWAN, Regional Manager, Department of Conservation, Auckland.

(Cons. C.O. Res. 2/2/94; R.O. 8/3/521)

1

ln11358

### Declaration That Land is a Reserve

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Manager, Department of Conservation, Wanganui, hereby notifies that the following resolution was passed by the Napier City Council on the 29th day of August 1988.

“That in exercise of the powers conferred on it by section 14 of the Reserves Act 1977, the Napier City Council hereby resolves that the piece of land held by the said Council in fee simple and, described in the Schedule hereto, shall be, and the same is hereby, declared to be a recreation reserve within the meaning of the said Act”.

**Schedule****Hawke's Bay Land District—Napier City**

1.5909 hectares, more or less, being Section 1 (formerly part Lot 27, Deeds Plan 194) on S.O. Plan 9582, located on Record Sheets V21/63.11 and 63.12, Block IV, Heretaunga Survey District, and being the balance land in *Gazette* notice 393040.1.

Dated at Wanganui this 10th day of October 1988.

J. F. CONNELL, Regional Manager, Wanganui.

(D.O.C. C.O. R.O. 9/5; D.O. 6/11/4)

In11424

**Lands****Local Government Act 1974****Transfer of Unformed Legal Road in Block IV, Ruakaka Survey District, Whangarei County**

Pursuant to section 323 of the Local Government Act 1974, and to a delegation from the Minister of Lands, the Director-General of Lands hereby declares that the land, described in the Schedule hereto, has been transferred to the Crown by the Whangarei County Council, pursuant to the said section 323, and on the publication of this notice the said land shall be deemed to be Crown land subject to the Land Act 1948.

**Schedule****North Auckland Land District—Whangarei County**

1.1040 hectares, more or less, being unformed legal road adjoining Allotments E60, 61, and part Allotment 43, Parish of Manaia, and Crown land. Shown marked 'A' on S.O. Plan 60612.

Dated at Wellington this 30th day of September 1988.

A. H. PHILLIPS, Acting Deputy Director-General of Lands.

(Lands H.O. 10/1; D.O. S298, LG114)

In11164

**Public Works Act 1981****Road Realignment in Wanganui County**

Pursuant to the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands:

(a) Pursuant to section 20, declares that, agreements to that effect having been entered into, the land described in the First Schedule hereto is hereby acquired for limited access road, which has become road, limited access road and State highway, and shall vest in the Crown on the date of publication hereof in the *Gazette*.

(b) Pursuant to sections 116, 117 and 120, declares the portions of road described in the Second and Third Schedules hereto to be stopped, and that:

- (i) The portions of road described in the Second Schedule shall be amalgamated with the land in certificate of title, Volume 353, folio 44, subject to memoranda of mortgage 746719 and 860667:
- (ii) The portions of road described in the Third Schedule shall be amalgamated with the land in certificate of title, Volume 170, folio 20, subject to memorandum of mortgage 654937.1.

**First Schedule****Wellington Land District—Wanganui County**

Area m <sup>2</sup>	Being
242	Part Section 241, Right Bank Wanganui River; marked "A" on S.O. Plan 35181.
46	Part Section 241, Right Bank Wanganui River; marked "A" on S.O. Plan 35182.
5286	Part Section 241, Right Bank Wanganui River; marked "A" on S.O. Plan 35183.
2317	Part Section 241, Right Bank Wanganui River; marked "B" on S.O. Plan 35183.
129	Part Lot 1, Plan A/2275; marked "B" on S.O. Plan 35181.
3667	Part Lot 1, Plan A/2275; marked "B" on S.O. Plan 35182.
ha	
2.6566	Part Lot 1, Plan A/2275; marked "D" on S.O. Plan 35185.

As shown marked as above mentioned on the plans numbered as above mentioned, lodged in the office of the Chief Surveyor at Wellington.

**Second Schedule****Wellington Land District—Wanganui County****Road Stopped and Amalgamated with 353/44**

Area m <sup>2</sup>	Adjoining or passing through
498	Part Section 241, Right Bank Wanganui River; marked "C" on S.O. Plan 35181.
2031	Part Section 241, Right Bank Wanganui River; marked "C" on S.O. Plan 35182.

As shown marked as above mentioned on the plans numbered as above mentioned, lodged in the office of the Chief Surveyor at Wellington.

**Third Schedule****Wellington Land District—Wanganui County****Road Stopped and Amalgamated with 170/20**

Area m <sup>2</sup>	Adjoining or passing through
3394	Part Lot 1, Plan A/2275; marked "A" on S.O. Plan 35184.
4595	Part Lot 1, Plan A/2275; marked "B" on S.O. Plan 35185.

As shown marked as above mentioned on the plans numbered as above mentioned, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wellington this 26th day of September 1988.

N. J. ROBINSON, District Manager.

(Lands Wg. D.O. 8/3/20/1; 8/3/20/3)

In11186

**Amending a Notice Acquiring Land for Road, Land Declared to be Road, Road Stopped and Land Taken in the County of Rangitikei**

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor hereby amends the notice dated the 12th day of August 1988, and published in the *Gazette* of 15 September 1988, No. 157, at page 3681, land acquired for road, land declared to be road, road stopped, and land taken in the County of Rangitikei, by omitting the figures "844" from the Second Schedule, and substituting the figures "884".

Dated at Wanganui this 29th day of September 1988.



B. P. BONISCH, District Solicitor.

(Lands Wg. D.O. 44/19/0)

ICL

ln11187

### Amending a Notice Acquiring Land for Limited Access Road, and Road Stopped in the City of New Plymouth

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor hereby amends the notice dated the 25th day of August 1988, and published in the *Gazette* of 15 September 1988, No. 157, at page 3668, land acquired for limited access road and road stopped in the City of New Plymouth, by omitting the figures "40" from the First Schedule, and substituting the figures "90".

Dated at Wanganui this 3rd day of October 1988.

B. P. BONISCH, District Solicitor.

(Lands Wg. D.O. 20/415/0)

ICL

ln11171

### Amending a Declaration Acquiring Land for Coal Mining Operations Under Part IV of the Coal Mines Act 1979 in Raglan County

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor of the Department of Lands, Hamilton, hereby amends the declaration dated 4 October 1985, published in the *New Zealand Gazette* of 10 October 1985, No. 187 at page 4394, acquiring land for coal mining operations under Part IV of the Coal Mines Act 1979 by inserting "and excepting thereout all minerals of what nature soever under the said land," after the words "in the Schedule hereto".

Dated at Hamilton this 29th day of September 1988.

W. G. KORVER, Acting District Solicitor.

(Lands, H.O. 32/1078/11/11/9; Hn. D.O. 15/10/0/3)

ICL

ln11172

### Road Realignment in Waikato County

Pursuant to Part VIII of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager of the Department of Lands, Hamilton:

(a) Pursuant to section 114, declares the land described in the First Schedule hereto to be road and vested in The Waikato County Council.

(b) Pursuant to sections 116 and 117, declares the portions of road described in the Second Schedule hereto to be stopped and to be added to the adjoining land held for the Waikato-Thames Railway (Hamilton-Cambridge Branch) by virtue of proclamation 607, South Auckland Land District.

(c) Pursuant to section 119, declares the land described in the Third Schedule to be taken and vested in The Waikato County Council.

### First Schedule

#### South Auckland Land District

Area m <sup>2</sup>	Being
698	Part East Coast Main Trunk Railway; marked "C" on plan.
2882	Part Waikato-Thames Railway (Hamilton-Cambridge Branch); marked "K" on plan.

Situated in Blocks XIV and XV, Komakorau Survey District.

As shown marked as above mentioned on S.O. Plan 57100, lodged in the office of the Chief Surveyor at Hamilton.

### Second Schedule

#### South Auckland Land District

Area m <sup>2</sup>	Adjoining
1110	East Coast Main Trunk Railway; marked "A" on plan.
82	East Coast Main Trunk Railway; marked "B" on plan.

Situated in Block XIV, Komakorau Survey District.

As shown marked as above mentioned on S.O. Plan 57100, lodged in the office of the Chief Surveyor in Hamilton.

### Third Schedule

#### South Auckland Land District

294 square metres in Block XV, Komakorau Survey District, being part Waikato-Thames Railway (Hamilton-Cambridge Branch); as shown marked "J" on S.O. Plan 57100, lodged in the office of the Chief Surveyor at Hamilton.

Dated at Hamilton this 29th day of September 1988.

R. W. BARNABY, District Manager.

(Lands Hn. D.O. 19/0/152)

ICL

ln11173

### Amending a Notice Declaring Road to be Stopped in the District of Manawatu

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, hereby amends the notice dated the 18th day of August 1988, and published in the *New Zealand Gazette* of 15 September 1988, No. 157, at page 3674, declaring land to be acquired for road and road stopped and amalgamated in the District of Manawatu, by deleting therefrom the following:

"(b) Pursuant to sections 116 (1), 117 (3) and 120 (3), declares the portion of road described in the Second Schedule hereto to be stopped and amalgamated with the land in certificate of title, Volume 442, folio 170, subject to statutory land charge 328864.1 and memoranda of mortgage 820224.3, 387686.1, 501940.2 and 820224.5."

and substituting the following:

"(b) Pursuant to sections 116 (1), 117 (3) and 120 (3), declares the portion of road described in the Second Schedule hereto to be stopped and amalgamated with the land in certificate of title, Volume 442, folio 176, subject to statutory land charge 328864.1 and memoranda of mortgage 820224.3, 387686.1, 501940.2 and 820224.5."

Dated at Wellington this 27th day of September 1988.

N. J. ROBINSON, District Manager.

(Lands Wg. D.O. 14/13/0)

ICL

ln11362

### Corrigendum

#### Land Acquired for the Purposes of a Road

In the notice with the above heading dated 16 August 1988 and published in *New Zealand Gazette* of 15 September 1988, No. 157 at page 3676, for the description "Lot 40, D.P. 710" which appears in the first line of the Schedule read "part Lot 40, D.P. 710", which description appears in the original notice signed on behalf of the Minister of Lands.

(Lands Ch. D.O. 40/72/1/14/127)

ln11367

1

**Corrigendum****Road Realignment in Waitomo District**

In the notice with the above heading, dated 29 June 1988 and published in the *New Zealand Gazette* of 21 July 1988, No. 127 at page 2894, for "12486" in the seventh and eighth lines in the First Schedule read "12482" which reference appears in the original notice signed on behalf of the Minister of Lands.

(Lands Hn. D.O. 98/3/0/37)  
ln11365

icL

**Land Taken in Connection with a Road in the District of Wairoa**

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor declares that, an agreement to that effect having been entered into, the land described in the Schedule is taken in connection with a road and shall vest in the Crown on the 13th day of October 1988.

**Schedule****Hawke's Bay Land District**

Land comprising part of Orangitirohia No. 6 Block as follows:—

Area m <sup>2</sup>	Being
712	Lot 2, D.P. 7822. All certificate of title 125/235.

Dated at Napier this 6th day of October 1988.

G. P. HULBERT, District Solicitor.

(Na. D.O. AD 6/2/28/1053)  
ln11363

1

**Road Realignment in the County of Waipau**

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager declares that, an agreement to that effect having been entered into, the land described in the Schedule is taken for road and shall vest in the Crown on the 13th day of October 1988.

**Schedule****Gisborne Land District**

Area m <sup>2</sup>	Being
34	Part Waitangi Y2B2 marked 'B' on plan.
112	Part Waitangi Y2B2 marked 'C' on plan.

All in Block III, Mata Survey District as shown on S.O. Plan 8261, lodged in the office of the Chief Surveyor at Gisborne.

Dated at Gisborne this 3rd day of October 1988.

R. F. McMINN, District Manager.

(Na. D.O. AD 6/2/28/972)  
ln11364

icL

**Declaring Land to be Crown Land in the City of Napier**

Pursuant to section 42 of the Public Works Act 1981, and pursuant to a delegation from the Minister of Lands, the District Solicitor, Department of Lands declares the land described in the Schedule hereto subject to a right to drain sewage and a fencing covenant in transfer 387890.13, Hawke's Bay Registry to be Crown land, subject to the Land Act 1948.

**Schedule****Hawke's Bay Land District**

1165 square metres, situated in the City of Napier, being Lot 78, D.P. 16225. All *Gazette* notice 395686.1.

Dated at Napier this 6th day of October 1988.

G. P. HULBERT, District Solicitor.

(Na. D.O. AD 6/2/24/7)  
ln11366

icL

**Land Declared to be Crown Land in Taumarunui Borough**

Pursuant to section 42 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor of the Department of Lands, Wellington declares the land described in the Schedule hereto to be Crown land, subject to the Land Act 1948.

**Schedule****Wellington Land District**

958 square metres, situated in Block II, Hunua Survey District, being part Section 37, Manunui Village Settlement. All Proclamation 968706.

Dated at Wellington this 4th day of October 1988.

R. NARAYAN, Acting District Solicitor.

(Lands Hn. D.O. 33/0)  
ln11359

icL

**Land Declared to be Crown Land in Taumarunui Borough**

Pursuant to section 42 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor of the Department of Lands, Wellington declares the land described in the Schedule hereto to be Crown land, subject to the Land Act 1948.

**Schedule****Wellington Land District**

403 square metres, situated in Block II, Hunua Survey District, being part Section 138, Manunui Village. Balance of Proclamation 860861.

Dated at Wellington this 24th day of October 1988.

R. NARAYAN, Acting District Solicitor.

(Lands Hn. D.O. 33/0)  
ln11360

icL

**Land Acquired for Soil Conservation and River Control Purposes in Hauraki Plains County**

Pursuant to section 20 of the Public Works Act 1981, and a delegation from the Minister of Lands, the Acting District Solicitor of the Department of Lands, Hamilton, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for soil conservation and river control purposes and shall vest in The Hauraki Catchment Board on the date of publication hereof in the *Gazette*.

**Schedule****South Auckland Land District**

Area m <sup>2</sup>	Being
21	Part Section 13, Block III, Waihou Survey District; marked "A" on plan.
699	Part Lot 247, D.P. 11534; marked "B" on plan.

As shown marked as above mentioned on S.O. Plan 56816, and lodged in the office of the Chief Surveyor at Hamilton.

Dated at Hamilton this 6th day of October 1988.

W. G. KORVER, Acting District Solicitor.

(Lands Hn. D.O. 96/092000/4/14)

ln11361

1CL

### Crown Land Set Apart for the Generation of Electricity

Pursuant to section 52 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, declares the Crown land described in the Schedule hereto to be set apart for the generation of electricity.

#### Schedule

##### Canterbury Land District—Malvern County

Area ha	Being
16.600	Part Run 280; marked "B" on S.O. Plan 16791.
0.1780	Part Run 280; marked "C" on S.O. Plan 16791.
2.4787	Part Run 280; marked "D" on S.O. Plan 16791.
0.5865	Part Run 280; marked "F" on S.O. Plan 16791.
0.0448	Part Run 280; marked "G" on S.O. Plan 16791.
1.8100	Part Run 280; marked "J" on S.O. Plan 16791.
0.4000	Part Run 280; marked "K" on S.O. Plan 16792.
0.1398	Part Run 280; marked "L" on S.O. Plan 16792.
2.9000	Part Run 280; marked "LK" on S.O. Plan 16792.
1.4370	Part Run 280; marked "M" on S.O. Plan 16792.
0.1800	Part Run 280; marked "NM" on S.O. Plan 16792.
1.5600	Part Run 280; marked "V" on S.O. Plan 16794.

As shown marked on the above mentioned S.O. plans, lodged in the office of the Chief Surveyor at Christchurch.

Dated at Christchurch this 3rd day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/14/101)

ln11350

1CL

### Amending a Notice Declaring Land at Greta Village Acquired for Purposes of a Road

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, hereby amends the declaration dated the 19th day of August 1988, published in the *New Zealand Gazette* of 15 September 1988, No. 157 at page 3677, declaring land to be taken for the purposes of a road and vested in The Hurunui County Council by omitting the following from the Schedule:

"K"

and substituting the following:

"L"

Dated at Christchurch this 30th day of September 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/72/1/13/25)

ln11351

1CL

### Land at 17 Jamieson Avenue Acquired for the Purposes of a Road

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, declares that an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for the purposes of a road and vested in the Crown on the date of publication in the *Gazette*.

#### Schedule

##### Canterbury Land District—Christchurch City

622 square metres, being Lot 39, D.P. 13389; all certificate of title, Volume 504, folio 2.

Dated at Christchurch this 30th day of September 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/62/455)

ln11352

1CL

### Land at 534 Madras Street Acquired for the Purposes of a Road

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, declares that an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby taken for the purposes of a road and vested in the Crown on the date of publication in the *Gazette*.

#### Schedule

##### Canterbury Land District—Christchurch City

832 square metres, being Lot 50, D.P. 953; all certificate of title 20B/372.

Dated at Christchurch this 30th day of September 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/62/448)

ln11353

1CL

### Declaring Part of Totara Valley Road to be Stopped

Pursuant to section 116 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, declares the portions of road described in the Schedule hereto to be stopped.

#### Schedule

##### Canterbury Land District—Strathallan County

All those pieces of road:

Area m <sup>2</sup>	Adjoining or passing through
2500	Crown land; marked "L" on plan.
2950	Lots 2 and 3, D.P. 40656; marked "M" on plan.

As shown marked as above mentioned on S.O. Plan 16629, lodged in the office of the Chief Surveyor at Christchurch.

Dated at Christchurch this 30th day of September 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 35/49/01)

ln11354

1CL

### Land at 57 Evans Street Acquired for the Purposes of a Road

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, declares that an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for the purposes of a road and vested in the Crown on the date of publication in the *Gazette*.

#### Schedule

##### Canterbury Land District—City of Timaru

Principal Unit No. C on Unit Plan No. 48243, together with accessory units AUC1 and AUC2. All certificate of title No. 27A/650.

Dated at Christchurch this 30th day of September 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/72/1/15/107)

ln11355

1CL

### Land at Wairakei Road Acquired for Education Purposes

Pursuant to sections 20 (1) and 50 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, declares that an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for education purposes and shall vest in the Crown on the date of publication of this declaration in the *Gazette*.

#### Schedule

##### Canterbury Land District—Canterbury

2.4281 hectares, being Section 1, S.O. Plan 8025.

Dated at Christchurch this 6th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/8/226)  
In11356

ICL

### Land at 55 Selwyn Street, Leeston, Acquired for Education Purposes

Pursuant to sections 20 (1) and 50 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, declares that an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for education purposes and shall vest in the Crown on the date of publication of this declaration in the *Gazette*.

#### Schedule

##### Canterbury Land District—Ellesmere County

1022 square metres, being Lot 9, D.P. 639. All certificate of title, Volume 517, folio 96.

Dated at Christchurch this 6th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. PL06-066)  
In11357

ICL

## Regulation Summary

### Notice Under the Regulations Act 1936

Pursuant to the Regulations Act 1936, notice is hereby given of the making of regulations as under:

<i>Authority for Enactment</i>	<i>Title or Subject-matter</i>	<i>Serial Number</i>	<i>Date of Enactment</i>	<i>Price Code</i>	<i>Postage and Packaging</i>
Education Act 1964	Education (Assessment, Classification, and Appointment) Regulations 1976, Amendment No. 21	1988/240	10/10/88	5-B	\$2.85
Water and Soil Conservation Act 1967	National Water Conservation (Rakaia River) Order 1988	1988/241	10/10/88	5-B	\$2.85
Motor Vehicle Dealers Act 1975	Motor Vehicle Dealers (Exclusion of Heavy Vehicles) Order 1988	1988/242	10/10/88	2-A	\$2.20
Territorial Sea and Exclusive Economic Zone Act 1977	Exclusive Economic Zone (Licence Fees and Royalties) Regulations 1988	1988/243	10/10/88	7-B	\$2.85
Fisheries Act 1983	Fisheries (1988-89 Jack Mackerel Quota) Regulations 1988	1988/244	10/10/88	3-B	\$2.85
Transport Act 1962	Transport Licensing Regulations 1984, Amendment No. 6	1988/245	10/10/88	2-A	\$2.20
Criminal Justice Act 1985	Reporting Centres Notice (No. 3) 1988	1988/246	27/9/88	2-A	\$2.20
Criminal Justice Act 1985	Work Centre (Pukekohe) Notice 1988	1988/247	27/9/88	2-A	\$2.20
Securities Act 1978	Securities Act (Australian Unit Trusts) Exemption Notice 1986, Amendment No. 10	1988/248	11/10/88	3-B	\$2.85
Securities Act 1979	Securities Act (Telecom Corporation of New Zealand) Exemption Notice 1988	1988/249	11/10/88	2-A	\$2.20

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V. R. WARD, Government Printer.

rs11436

# General

## Borough of Kawerau

### Local Authorities Loans Act 1956

#### Notice of Result of Poll on Loan Proposal

Pursuant to section 38 of the Local Authorities Loans Act 1956, notice is hereby given that a poll of the electors of the Borough of Kawerau taken on the 1st day of October 1988 on the proposal of the above-named local authority to raise a loan of \$2,000,000 to be known as the Wastewater Treatment Loan 1988 for the purpose of constructing, purchasing and arranging for plant, buildings, equipment and such other

facilities necessary to provide a new effluent treatment scheme for the Borough, resulted as follows:

The number of votes recorded for the proposal was	1 479
The number of notes recorded against the proposal was	418
The number of informal votes was	11

I therefore declare that the proposal was carried.

Dated this 6th day of October 1988.

J. L. HARTLEY, Mayor.  
gn11477

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