



LAND & SURVEY OFFICE
25 OCT 1988

The New Zealand Gazette

WELLINGTON: THURSDAY, 20 OCTOBER 1988

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Using the Gazette

The *New Zealand Gazette*, the official newspaper of the Government of New Zealand, is published weekly on Thursdays. Publishing time is 4 p.m.

Notices for publication and related correspondence should be addressed to:

Gazette Office,
Department of Internal Affairs,
P.O. Box 805,
Wellington.
Telephone (04) 738 699 Facsimile (04) 499 0544

or lodged at the Gazette Office, Room 611 (Sixth Floor), State Insurance Tower Block, corner Waring Taylor Street and Lambton Quay.

Closing time for lodgment of notices at the Gazette Office: 12 noon on Tuesdays prior to publication (except for holiday periods when special advice of earlier closing times will be given).

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The *New Zealand Gazette* is available on subscription from the Government Printing Office Publications Division or over the counter from Government Bookshops at:

Hanna Burton Building, 25 Rutland Street, Auckland.
33 Kings Street, Frankton, Hamilton.
25-27 Mercer Street, Wellington.
Mulgrave Street, Wellington.
E.S.T.V. House, 4185 Queens Drive, Lower Hutt.
159 Hereford Street, Christchurch.

Government Building, 1 George Street, Palmerston North.

Cargill House, 123 Princes Street, Dunedin.

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.

Government Notices

Education

Education Act 1964

Replacement School for St Mary's Cathedral School and Marist Brothers' School, Hamilton

Pursuant to section 154 (1) of the Education Act 1964, notice is given that Marian School, Hamilton has been designated as the replacement school for St Mary's Cathedral School and Marist Brothers' School, Hamilton.

This notice shall come into effect on the date it is published in the *New Zealand Gazette*.

Dated at Wellington this 10th day of October 1988.

DAVID LANGE, Minister of Education. 1
go11645

Health

Area Health Boards Act 1983

Delegation of Functions of Department of Health to Marlborough Area Health Board

Pursuant to section 36 (2) of the Area Health Boards Act 1983, I, George Cockburn Salmond, Director-General of Health, hereby delegate, with the consent of the Minister of Health, to the Marlborough Area Health Board the functions of the Department of Health specified in Part A of the Schedule to this delegation, subject to the conditions set out in Part B of the Schedule to this delegation.

Schedule

Part A—Delegated Functions—Health Act 1956

Dental Health

Functions—The organisation and control of dental services so far as such services are paid for out of public money, in the following respects:

Management and maintenance of the School Dental Service, including consultation with education boards, in accordance with Government policy;

Having epidemiological surveys made for the purpose of identifying and analysing local dental health needs, measuring the extent to which needs are being met, and developing local dental health objectives and plans to meet those objectives within Government policy guidelines;

Consultation with the dental profession;

The provision and maintenance of dental services in hospitals;

Co-ordinating dental services to ensure the availability and provision of dental care of a high standard throughout the area health district;

Providing public health dentistry and preventive dentistry components in the training programmes at schools of nursing and health inspectors' courses;

Planning and co-ordinating study programmes and observation programmes for international aid students.

Public Health

Functions—The provision of advice to local authorities in matters relating to public health; the prevention, limitation, and suppression of infectious and other diseases; the promotion and carrying out of researches and investigations of matters concerning public health and the prevention or treatment of disease; the organisation and control of medical services so far as such services are paid for out of public money; the taking of all such steps as may be desirable to secure the preparation, effective carrying out, and co-ordination of measures conducive to the public health; all in the following respects:

Environmental Health

The promotion, surveillance, and evaluation of public water supplies and community water supplies; the preparation of reports for loan and subsidy applications for waterworks; the promotion of improved standards of treatment and operation of water supplies; the provision of advice and assistance to local authorities on water supplies; the investigation of complaints concerning water supplies;

The promotion, surveillance and evaluation of sewerage and of sewage disposal systems, and other methods of human waste disposal; the preparation of reports for loan and subsidy applications for sewerage disposal works; the provision of advice and assistance to local authorities concerning sewerage and sewage disposal systems; the promotion of improved standards of treatment and operation of sewerage and sewage disposal systems; the investigation of complaints concerning sewerage and sewage disposal systems;

The promotion, surveillance and evaluation of solid waste collection and disposal systems; the preparation of reports for loan subsidy applications for solid waste management; the provision of advice and assistance to local authorities concerning solid waste collection and disposal; the promotion of improved standards of operation and management concerning solid waste collection and disposal; the investigation of complaints concerning solid waste collection and disposal;

The promotion, surveillance, and evaluation of hazardous waste disposal systems; the preparation of reports for loan and subsidy applications for hazardous waste management; the

provision of advice and assistance to local authorities concerning hazardous waste disposal; the promotion of improved standards of operation and management concerning hazardous waste disposal; the investigation of complaints concerning hazardous waste disposal;

The surveillance and evaluation of swimming pool sanitation; the promotion of adequate standards of swimming pool sanitation;

The surveillance and evaluation of the effectiveness of pest control; the provision of advice and assistance to local authorities and harbour boards on the control of rats, vermin, and insect pests;

The periodic review of the sanitary condition of dwellings, boarding houses, hostels, motels, old people's homes, and camping grounds;

The provision of advice to local authorities on public health needs with respect to public health issues of regional planning schemes and district planning schemes;

The investigation of odour emission, and other undesirable emissions, to the atmosphere; consultation, where appropriate, with the regional air pollution control officer and the local authority concerned;

The establishment and operation of monitoring programmes to measure air pollution in the area health district or any part thereof;

The surveillance and periodic evaluation of the noise climate; the provision of advice and assistance to local authorities on environmental noise; undertaking environmental noise surveys;

The provision of advice and assistance to local authorities, Government departments, public hospitals, and private hospitals, with respect to public health matters and health protection matters, as may be required;

The provision of advice and assistance to local authorities, regional councils and united councils, with respect to public health aspects of civil defence;

The investigation of applications for the establishment of offensive trades; the investigation of any proposal for the erection or extension of any premises for the purposes of or in connection with any offensive trade; granting or refusing consent to applications for the establishment or extension of any offensive trade;

The provision of health inspection services to local authorities;

The surveillance and evaluation of crematoria; the provision of advice and assistance to local authorities concerning crematoria; the investigation of complaints concerning crematoria; ensuring compliance with the Cremation Regulations 1973;

Ensuring compliance with Part IV of the Health Act 1956, and the Health (Quarantine) Regulations 1983;

Having regular sanitation inspections made of coastal shipping vessels;

The inspection and evaluation of port sanitation, including passenger terminal facilities, cargo workers' canteens, and all wharves and related buildings; having samples taken of the water supply at ports to enable assessments of bacteriological and chemical content of the water; making recommendations with respect to port sanitation and water quality to relevant authorities;

The inspection of the following classes of premises for the purpose of the evaluation of and, where appropriate, the reporting on public health standards at the premises, and for the purpose of ensuring compliance with the requirements of the Health Act 1956, and any regulations made thereunder, relevant to the said premises:

Schools.

Old people's homes.

Swimming pools.

Hairdressers' premises.

The inspection of, and reporting on, child care centres and residential homes for the purpose of the evaluation of the physical environmental standards, sanitary condition, and any adverse conditions;

The inspection of chartered clubs and other licensed premises for the purpose of the evaluation of health standards maintained at such clubs or premises, and reporting thereon;

Providing information as requested for the purpose of FAO and World Health Organisation food contamination monitoring programmes.

Occupational Health

Providing medical, nursing, and scientific advice about occupational health hazards and diseases to Government departments, employer organisations, employee organisations, Accident Compensation Corporation, voluntary organisations, and other relevant organisations;

Providing assistance in establishing occupational health services to relevant organisations, industry, Government departments;

Providing services for the investigation of, the reporting on, and, where possible, the improvement of environmental working conditions and the health of workers;

Providing occupational health services in priority areas, through occupational health centres, or in accordance with Government policy;

Ensuring, and promoting, the control of hazards at work;

Ensuring, and promoting, the safe use of chemicals in agriculture and industry;

Investigating occupational diseases;

The undertaking and assessment of noise surveys in workplaces;

Carrying out assessments and measurements on behalf of the National Radiation Laboratory pursuant to the Radiation Protection Act 1965 and the Radiation Protection Regulations 1982;

Investigation, evaluation and reporting on occupational deafness, and promoting its prevention;

Giving appropriate advice and technical assistance on health issues in industrial disputes;

Investigation of problems and complaints relating to occupational health;

Undertaking special surveys or investigations on a regional basis or as part of a national programme;

Providing appropriate training of occupational health staff;

Promoting awareness of occupational health hazards by appropriate education programmes for schools, tertiary institutions, industry, Government departments;

Ensuring that all persons on whom obligations are imposed by the following regulations meet those obligations, and otherwise comply with those regulations;

Asbestos Regulations 1983.

Electroplating Regulations 1955.

Fumigation Regulations 1967.

Lead Process Regulations 1950.

Spray Coating Regulations 1962.

Health Promotion

Arranging for medical and developmental examinations of children from specific groups;

Arranging for medical examination and assessment of school children referred by parents, teachers, psychologists, general practitioners, nurses and others;

Arranging for immunisations, including BCG vaccination and Rubella immunisation for selected groups;

Health surveillance and advice and support for selected age groups;

The provision of support for Plunket nurses, and for staff of the area health board;

The provision of advice on, and participation in, health promotion and health education programmes;

The provision of support and advisory services for community health development;

Arranging for hearing and vision tests on children, including follow up tests; referral of children with suspected defects; consulting with parents, and schools with respect to children with suspected defects;

Implementation of health education programmes within the area health district, whether of a regional or national nature;

The planning, co-ordination and evaluation of health promotion and health education programmes;

The provision of in-service training for area health board staff in health promotion and health education;

Preparation and provision of statistics on:

Infectious and notifiable diseases notifications

Clinical attendances for venereal diseases

Immunisations

X-ray surveillance of immigrants

Medical requirements of South Pacific immigrants

Child health

Arranging for measures to control and prevent the incidence of non-communicable diseases;

Promotion of health through good nutrition;

Undertaking measures to investigate, and control or prevent, the spread of infectious diseases; ensuring the isolation of persons likely to spread any infectious disease;

Ensuring compliance with the Venereal Diseases Regulations 1982.

Public Health Nursing

Functions—The organisation and control of public health nursing services so far as such services are paid for out of public money, in the following respects:

The promotion of primary health care by developing community profiles in consultation with the local community for the purpose of identifying health needs;

The provision of a family-centred nursing service that identifies family health needs and meets those needs by providing appropriate health surveillance, advice and support for "at risk" groups;

The supervision of infants and children in conjunction with the Plunket Society, and in accord with Government policy;

The provision of health surveillance of children in primary, intermediate and secondary schools, including correspondence schools;

The provision of health promotion services to post-school adolescents;

Carrying out immunisation programmes, and undertaking measures to assist in disease prevention and control;

The provision of a health surveillance support service for the well-elderly in the community, including visits to the elderly, and consultation with other agencies in the planning and provision of services for the well-elderly;

Assessment of standards of care for the elderly in licensed old people's homes, together with advice to managers of old people's homes on health aspects of the standards of care, and making reports on the standards of care;

Assessment of standards of care for patients in private hospitals, and ensuring appropriate standards are maintained;

The provision of occupational health nursing services to assist in ensuring high standards of occupational health, including consultation with industry and Government departments;

The provision of domiciliary nursing services in rural areas;

Participating in orientation, staff training, and on-going education programmes; contributing to the education of nursing students and medical students, and other trainees in health fields; speaking in public groups on the role of the public health nursing service in the community;

The provision of support services for civil defence agencies;

Promotion of public health through prevention work, the education of the public, and consultation with community groups, Government departments, and other relevant agencies;

Ensuring appropriate planning and management of public health nursing services (including services performed by health assistants) in accordance with Government policy;

The provision of such other nursing services as may be required in accordance with Government policy.

Food Act 1981

Functions—The promotion and conservation of health in relation to food by the supervision of compliance with the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplements Regulations 1985, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations, and otherwise comply with the said Act and regulations.

Social Security Act 1964—Part II

Functions—The promotion and conservation of health, in the following respects:

Routine management of the dental benefits programme in accordance with the Social Security Act 1964, Part II, and the Social Security (Dental Benefits) Regulations, 1983;

The provision of advice and assistance to members of the public with respect to the benefits provided under the Social Security Act 1964, Part II, and the regulations made thereunder.

Toxic Substances Act 1979

Functions—The promotion and conservation of health in relation to toxic substances by the supervision of compliance with the Toxic Substances Act 1979 and the Toxic Substances Regulations 1983, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations and otherwise comply with the said Act and regulations.

Part B—Delegation Conditions

1. Except as provided in clause 2 of these conditions, nothing in this delegation shall confer on the Marlborough Area Health Board (in this part called "the board") the function of instituting proceedings for alleged offences against any of the Acts or regulations referred to in Part A of the Schedule in this delegation.

2. The board shall have the function of instituting proceedings for alleged offences against the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985. Where the board requires the services of counsel with respect to any proceedings so instituted, it shall instruct the Crown Solicitor in the area health district to represent the board in the proceedings.

3. Where, in the view of the board, offences against any of the

Acts or regulations referred to in Part A of the Schedule to this delegation (other than the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985) have occurred, the board shall inform the Department of Health, to enable prosecution of the alleged offender at the instance of an officer of the department to be considered.

Dated at Wellington this 13th day of October 1988.

GEORGE SALMOND, Director-General of Health.

g011630

Delegation of Functions of Department of Health to Otago Area Health Board

Pursuant to section 36 (2) of the Area Health Boards Act 1983, I, George Cockburn Salmond, Director-General of Health, hereby delegate, with the consent of the Minister of Health, to the Otago Area Health Board the functions of the Department of Health specified in Part A of the Schedule to this delegation, subject to the conditions set out in Part B of the Schedule to this delegation.

Schedule

Part A—Delegated Functions—Health Act 1956

Dental Health

Functions—The organisation and control of dental services so far as such services are paid for out of public money, in the following respects:

Management and maintenance of the School Dental Service, including consultation with education boards, in accordance with Government policy;

Having epidemiological surveys made for the purpose of identifying and analysing local dental health needs, measuring the extent to which needs are being met, and developing local dental health objectives and plans to meet those objectives within Government policy guidelines;

Consultation with the dental profession;

The provision and maintenance of dental services in hospitals; Co-ordinating dental services to ensure the availability and provision of dental care of a high standard throughout the area health district;

Providing public health dentistry and preventive dentistry components in the training programmes at schools of nursing and health inspectors' courses;

Planning and co-ordinating study programmes and observation programmes for international aid students.

Public Health

Functions—The provision of advice to local authorities in matters relating to public health; the prevention, limitation, and suppression of infectious and other diseases; the promotion and carrying out of researches and investigations of matters concerning public health and the prevention or treatment of disease; the organisation and control of medical services so far as such services are paid for out of public money; the taking of all such steps as may be desirable to secure the preparation, effective carrying out, and co-ordination of measures conducive to the public health; all in the following respects:

Environmental Health

The promotion, surveillance, and evaluation of public water supplies and community water supplies; the preparation of reports for loan and subsidy applications for waterworks; the promotion of improved standards of treatment and operation of water supplies; the provision of advice and assistance to local authorities on water supplies; the investigation of complaints concerning water supplies;

The promotion, surveillance and evaluation of sewerage and of sewage disposal systems, and other methods of human waste

disposal; the preparation of reports for loan and subsidy applications for sewage disposal works; the provision of advice and assistance to local authorities concerning sewerage and sewage disposal systems; the promotion of improved standards of treatment and operation of sewerage and sewage disposal systems; the investigation of complaints concerning sewerage and sewage disposal systems;

The promotion, surveillance and evaluation of solid waste collection and disposal systems; the preparation of reports for loan subsidy applications for solid waste management; the provision of advice and assistance to local authorities concerning solid waste collection and disposal; the promotion of improved standards of operation and management concerning solid waste collection and disposal; the investigation of complaints concerning solid waste collection and disposal;

The promotion, surveillance, and evaluation of hazardous waste disposal systems; the preparation of reports for loan and subsidy applications for hazardous waste management; the provision of advice and assistance to local authorities concerning hazardous waste disposal; the promotion of improved standards of operation and management concerning hazardous waste disposal; the investigation of complaints concerning hazardous waste disposal;

The surveillance and evaluation of swimming pool sanitation; the promotion of adequate standards of swimming pool sanitation;

The surveillance and evaluation of the effectiveness of pest control; the provision of advice and assistance to local authorities and harbour boards on the control of rats, vermin, and insect pests;

The periodic review of the sanitary condition of dwellings, boarding houses, hostels, motels, old people's homes, and camping grounds;

The provision of advice to local authorities on public health needs with respect to public health issues of regional planning schemes and district planning schemes;

The investigation of odour emission, and other undesirable emissions, to the atmosphere; consultation, where appropriate, with the regional air pollution control officer and the local authority concerned;

The establishment and operation of monitoring programmes to measure air pollution in the area health district or any part thereof;

The surveillance and periodic evaluation of the noise climate; the provision of advice and assistance to local authorities on environmental noise; undertaking environmental noise surveys;

The provision of advice and assistance to local authorities, Government departments, public hospitals, and private hospitals, with respect to public health matters and health protection matters, as may be required;

The provision of advice and assistance to local authorities, regional councils and united councils, with respect to public health aspects of civil defence;

The investigation of applications for the establishment of offensive trades; the investigation of any proposal for the erection or extension of any premises for the purposes of or in connection with any offensive trade; granting or refusing consent to applications for the establishment or extension of any offensive trade;

The provision of health inspection services to local authorities;

The surveillance and evaluation of crematoria; the provision of advice and assistance to local authorities concerning crematoria; the investigation of complaints concerning crematoria; ensuring compliance with the Cremation Regulations 1973;

Ensuring compliance with Part IV of the Health Act 1956, and the Health (Quarantine) Regulations 1983;

Having regular sanitation inspections made of coastal shipping vessels;

The inspection and evaluation of port sanitation, including passenger terminal facilities, cargo workers' canteens, and all wharves and related buildings; having samples taken of the water supply at ports to enable assessments of bacteriological and chemical content of the water; making recommendations with respect to port sanitation and water quality to relevant authorities;

The inspection of the following classes of premises for the purpose of the evaluation of and, where appropriate, the reporting on public health standards at the premises, and for the purpose of ensuring compliance with the requirements of the Health Act 1956, and any regulations made thereunder, relevant to the said premises:

Schools.

Old people's homes.

Swimming pools.

Hairdressers' premises.

The inspection of, and reporting on, child care centres and residential homes for the purpose of the evaluation of the physical environmental standards, sanitary condition, and any adverse conditions;

The inspection of chartered clubs and other licensed premises for the purpose of the evaluation of health standards maintained at such clubs or premises, and reporting thereon;

Providing information as requested for the purpose of FAO and World Health Organisation food contamination monitoring programmes.

Occupational Health

Providing medical, nursing, and scientific advice about occupational health hazards and diseases to Government departments, employer organisations, employee organisations, Accident Compensation Corporation, voluntary organisations, and other relevant organisations;

Providing assistance in establishing occupational health services to relevant organisations, industry, Government departments;

Providing services for the investigation of, the reporting on, and, where possible, the improvement of environmental working conditions and the health of workers;

Providing occupational health services in priority areas, through occupational health centres, or in accordance with Government policy;

Ensuring, and promoting, the control of hazards at work;

Ensuring, and promoting, the safe use of chemicals in agriculture and industry;

Investigating occupational diseases;

The undertaking and assessment of noise surveys in workplaces;

Carrying out assessments and measurements on behalf of the National Radiation Laboratory pursuant to the Radiation Protection Act 1965 and the Radiation Protection Regulations 1982;

Investigation, evaluation and reporting on occupational deafness, and promoting its prevention;

Giving appropriate advice and technical assistance on health issues in industrial disputes;

Investigation of problems and complaints relating to occupational health;

Undertaking special surveys or investigations on a regional basis or as part of a national programme;

Providing appropriate training of occupational health staff;

Promoting awareness of occupational health hazards by appropriate education programmes for schools, tertiary institutions, industry, Government departments;

Ensuring that all persons on whom obligations are imposed by the following regulations meet those obligations, and otherwise comply with those regulations;

Asbestos Regulations 1983.

Electroplating Regulations 1955.

Fumigation Regulations 1967.

Lead Process Regulations 1950.

Spray Coating Regulations 1962.

Health Promotion

Arranging for medical and developmental examinations of children from specific groups;

Arranging for medical examination and assessment of school children referred by parents, teachers, psychologists, general practitioners, nurses and others;

Arranging for immunisations, including BCG vaccination and Rubella immunisation for selected groups;

Health surveillance and advice and support for selected age groups;

The provision of support for Plunket nurses, and for staff of the area health board;

The provision of advice on, and participation in, health promotion and health education programmes;

The provision of support and advisory services for community health development;

Arranging for hearing and vision tests on children, including follow up tests; referral of children with suspected defects; consulting with parents, and schools with respect to children with suspected defects;

Implementation of health education programmes within the area health district, whether of a regional or national nature;

The planning, co-ordination and evaluation of health promotion and health education programmes;

The provision of in-service training for area health board staff in health promotion and health education;

Preparation and provision of statistics on:

Infectious and notifiable diseases notifications

Clinical attendances for venereal diseases

Immunisations

X-ray surveillance of immigrants

Medical requirements of South Pacific immigrants

Child health

Arranging for measures to control and prevent the incidence of non-communicable diseases;

Promotion of health through good nutrition;

Undertaking measures to investigate, and control or prevent, the spread of infectious diseases; ensuring the isolation of persons likely to spread any infectious disease;

Ensuring compliance with the Venereal Diseases Regulations 1982.

Public Health Nursing

Functions—The organisation and control of public health nursing services so far as such services are paid for out of public money, in the following respects:

The promotion of primary health care by developing community profiles in consultation with the local community for the purpose of identifying health needs;

The provision of a family-centred nursing service that identifies family health needs and meets those needs by providing

appropriate health surveillance, advice and support for "at risk" groups;

The supervision of infants and children in conjunction with the Plunket Society, and in accord with Government policy;

The provision of health surveillance of children in primary, intermediate and secondary schools, including correspondence schools;

The provision of health promotion services to post-school adolescents;

Carrying out immunisation programmes, and undertaking measures to assist in disease prevention and control;

The provision of a health surveillance support service for the well-elderly in the community, including visits to the elderly, and consultation with other agencies in the planning and provision of services for the well-elderly;

Assessment of standards of care for the elderly in licensed old people's homes, together with advice to managers of old people's homes on health aspects of the standards of care, and making reports on the standards of care;

Assessment of standards of care for patients in private hospitals, and ensuring appropriate standards are maintained;

The provision of occupational health nursing services to assist in ensuring high standards of occupational health, including consultation with industry and Government departments;

The provision of domiciliary nursing services in rural areas;

Participating in orientation, staff training, and on-going education programmes; contributing to the education of nursing students and medical students, and other trainees in health fields; speaking in public groups on the role of the public health nursing service in the community;

The provision of support services for civil defence agencies;

Promotion of public health through prevention work, the education of the public, and consultation with community groups, Government departments, and other relevant agencies;

Ensuring appropriate planning and management of public health nursing services (including services performed by health assistants) in accordance with Government policy;

The provision of such other nursing services as may be required in accordance with Government policy.

Food Act 1981

Functions—The promotion and conservation of health in relation to food by the supervision of compliance with the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplements Regulations 1985, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations, and otherwise comply with the said Act and regulations.

Social Security Act 1964—Part II

Functions—The promotion and conservation of health, in the following respects:

Routine management of the dental benefits programme in accordance with the Social Security Act 1964, Part II, and the Social Security (Dental Benefits) Regulations, 1983;

The provision of advice and assistance to members of the public with respect to the benefits provided under the Social Security Act 1964, Part II, and the regulations made thereunder.

Toxic Substances Act 1979

Functions—The promotion and conservation of health in relation to toxic substances by the supervision of compliance with the Toxic Substances Act 1979 and the Toxic Substances Regulations 1983, insofar as it is carried out by employees of

an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations and otherwise comply with the said Act and regulations.

Part B—Delegation Conditions

1. Except as provided in clause 2 of these conditions, nothing in this delegation shall confer on the Otago Area Health Board (in this part called "the board") the function of instituting proceedings for alleged offences against any of the Acts or regulations referred to in Part A of the Schedule in this delegation.

2. The board shall have the function of instituting proceedings for alleged offences against the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985. Where the board requires the services of counsel with respect to any proceedings so instituted, it shall instruct the Crown Solicitor in the area health district to represent the board in the proceedings.

3. Where, in the view of the board, offences against any of the Acts or regulations referred to in Part A of the Schedule to this delegation (other than the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985) have occurred, the board shall inform the Department of Health, to enable prosecution of the alleged offender at the instance of an officer of the department to be considered.

Dated at Wellington this 13th day of October 1988.

GEORGE SALMOND, Director-General of Health.
go11672

Delegation of Functions of Department of Health to Tairāwhiti Area Health Board

Pursuant to section 36 (2) of the Area Health Boards Act 1983, I, George Cockburn Salmond, Director-General of Health, hereby delegate, with the consent of the Minister of Health, to the Tairāwhiti Area Health Board the functions of the Department of Health specified in Part A of the Schedule to this delegation, subject to the conditions set out in Part B of the Schedule to this delegation.

Schedule

Part A—Delegated Functions—Health Act 1956

Dental Health

Functions—The organisation and control of dental services so far as such services are paid for out of public money, in the following respects:

Management and maintenance of the School Dental Service, including consultation with education boards, in accordance with Government policy;

Having epidemiological surveys made for the purpose of identifying and analysing local dental health needs, measuring the extent to which needs are being met, and developing local dental health objectives and plans to meet those objectives within Government policy guidelines;

Consultation with the dental profession;

The provision and maintenance of dental services in hospitals;

Co-ordinating dental services to ensure the availability and provision of dental care of a high standard throughout the area health district;

Providing public health dentistry and preventive dentistry components in the training programmes at schools of nursing and health inspectors' courses;

Planning and co-ordinating study programmes and observation programmes for international aid students.

Public Health

Functions—The provision of advice to local authorities in matters relating to public health; the prevention, limitation, and suppression of infectious and other diseases; the promotion and carrying out of researches and investigations of matters concerning public health and the prevention or treatment of disease; the organisation and control of medical services so far as such services are paid for out of public money; the taking of all such steps as may be desirable to secure the preparation, effective carrying out, and co-ordination of measures conducive to the public health; all in the following respects:

Environmental Health

The promotion, surveillance, and evaluation of public water supplies and community water supplies; the preparation of reports for loan and subsidy applications for waterworks; the promotion of improved standards of treatment and operation of water supplies; the provision of advice and assistance to local authorities on water supplies; the investigation of complaints concerning water supplies;

The promotion, surveillance and evaluation of sewerage and of sewage disposal systems, and other methods of human waste disposal; the preparation of reports for loan and subsidy applications for sewage disposal works; the provision of advice and assistance to local authorities concerning sewerage and sewage disposal systems; the promotion of improved standards of treatment and operation of sewerage and sewage disposal systems; the investigation of complaints concerning sewerage and sewage disposal systems;

The promotion, surveillance and evaluation of solid waste collection and disposal systems; the preparation of reports for loan subsidy applications for solid waste management; the provision of advice and assistance to local authorities concerning solid waste collection and disposal; the promotion of improved standards of operation and management concerning solid waste collection and disposal; the investigation of complaints concerning solid waste collection and disposal;

The promotion, surveillance, and evaluation of hazardous waste disposal systems; the preparation of reports for loan and subsidy applications for hazardous waste management; the provision of advice and assistance to local authorities concerning hazardous waste disposal; the promotion of improved standards of operation and management concerning hazardous waste disposal; the investigation of complaints concerning hazardous waste disposal;

The surveillance and evaluation of swimming pool sanitation; the promotion of adequate standards of swimming pool sanitation;

The surveillance and evaluation of the effectiveness of pest control; the provision of advice and assistance to local authorities and harbour boards on the control of rats, vermin, and insect pests;

The periodic review of the sanitary condition of dwellings, boarding houses, hostels, motels, old people's homes, and camping grounds;

The provision of advice to local authorities on public health needs with respect to public health issues of regional planning schemes and district planning schemes;

The investigation of odour emission, and other undesirable emissions, to the atmosphere; consultation, where appropriate, with the regional air pollution control officer and the local authority concerned;

The establishment and operation of monitoring programmes to measure air pollution in the area health district or any part thereof;

The surveillance and periodic evaluation of the noise climate; the provision of advice and assistance to local authorities on

environmental noise; undertaking environmental noise surveys;

The provision of advice and assistance to local authorities, Government departments, public hospitals, and private hospitals, with respect to public health matters and health protection matters, as may be required;

The provision of advice and assistance to local authorities, regional councils and united councils, with respect to public health aspects of civil defence;

The investigation of applications for the establishment of offensive trades; the investigation of any proposal for the erection or extension of any premises for the purposes of or in connection with any offensive trade; granting or refusing consent to applications for the establishment or extension of any offensive trade;

The provision of health inspection services to local authorities;

The surveillance and evaluation of crematoria; the provision of advice and assistance to local authorities concerning crematoria; the investigation of complaints concerning crematoria; ensuring compliance with the Cremation Regulations 1973;

Ensuring compliance with Part IV of the Health Act 1956, and the Health (Quarantine) Regulations 1983;

Having regular sanitation inspections made of coastal shipping vessels;

The inspection and evaluation of port sanitation, including passenger terminal facilities, cargo workers' canteens, and all wharves and related buildings; having samples taken of the water supply at ports to enable assessments of bacteriological and chemical content of the water; making recommendations with respect to port sanitation and water quality to relevant authorities;

The inspection of the following classes of premises for the purpose of the evaluation of and, where appropriate, the reporting on public health standards at the premises, and for the purpose of ensuring compliance with the requirements of the Health Act 1956, and any regulations made thereunder, relevant to the said premises:

Schools.

Old people's homes.

Swimming pools.

Hairdressers' premises.

The inspection of, and reporting on, child care centres and residential homes for the purpose of the evaluation of the physical environmental standards, sanitary condition, and any adverse conditions;

The inspection of chartered clubs and other licensed premises for the purpose of the evaluation of health standards maintained at such clubs or premises, and reporting thereon;

Providing information as requested for the purpose of FAO and World Health Organisation food contamination monitoring programmes.

Occupational Health

Providing medical, nursing, and scientific advice about occupational health hazards and diseases to Government departments, employer organisations, employee organisations, Accident Compensation Corporation, voluntary organisations, and other relevant organisations;

Providing assistance in establishing occupational health services to relevant organisations, industry, Government departments;

Providing services for the investigation of, the reporting on, and, where possible, the improvement of environmental working conditions and the health of workers;

Providing occupational health services in priority areas,

through occupational health centres, or in accordance with Government policy;

Ensuring, and promoting, the control of hazards at work;

Ensuring, and promoting, the safe use of chemicals in agriculture and industry;

Investigating occupational diseases;

The undertaking and assessment of noise surveys in workplaces;

Carrying out assessments and measurements on behalf of the National Radiation Laboratory pursuant to the Radiation Protection Act 1965 and the Radiation Protection Regulations 1982;

Investigation, evaluation and reporting on occupational deafness, and promoting its prevention;

Giving appropriate advice and technical assistance on health issues in industrial disputes;

Investigation of problems and complaints relating to occupational health;

Undertaking special surveys or investigations on a regional basis or as part of a national programme;

Providing appropriate training of occupational health staff;

Promoting awareness of occupational health hazards by appropriate education programmes for schools, tertiary institutions, industry, Government departments;

Ensuring that all persons on whom obligations are imposed by the following regulations meet those obligations, and otherwise comply with those regulations;

Asbestos Regulations 1983.

Electroplating Regulations 1955.

Fumigation Regulations 1967.

Lead Process Regulations 1950.

Spray Coating Regulations 1962.

Health Promotion

Arranging for medical and developmental examinations of children from specific groups;

Arranging for medical examination and assessment of school children referred by parents, teachers, psychologists, general practitioners, nurses and others;

Arranging for immunisations, including BCG vaccination and Rubella immunisation for selected groups;

Health surveillance and advice and support for selected age groups;

The provision of support for Plunket nurses, and for staff of the area health board;

The provision of advice on, and participation in, health promotion and health education programmes;

The provision of support and advisory services for community health development;

Arranging for hearing and vision tests on children, including follow up tests; referral of children with suspected defects; consulting with parents, and schools with respect to children with suspected defects;

Implementation of health education programmes within the area health district, whether of a regional or national nature;

The planning, co-ordination and evaluation of health promotion and health education programmes;

The provision of in-service training for area health board staff in health promotion and health education;

Preparation and provision of statistics on:

Infectious and notifiable diseases notifications

Clinical attendances for venereal diseases

Immunisations

X-ray surveillance of immigrants

Medical requirements of South Pacific immigrants

Child health

Arranging for measures to control and prevent the incidence of non-communicable diseases;

Promotion of health through good nutrition;

Undertaking measures to investigate, and control or prevent, the spread of infectious diseases; ensuring the isolation of persons likely to spread any infectious disease;

Ensuring compliance with the Venereal Diseases Regulations 1982.

Public Health Nursing

Functions—The organisation and control of public health nursing services so far as such services are paid for out of public money, in the following respects:

The promotion of primary health care by developing community profiles in consultation with the local community for the purpose of identifying health needs;

The provision of a family-centred nursing service that identifies family health needs and meets those needs by providing appropriate health surveillance, advice and support for "at risk" groups;

The supervision of infants and children in conjunction with the Plunket Society, and in accord with Government policy;

The provision of health surveillance of children in primary, intermediate and secondary schools, including correspondence schools;

The provision of health promotion services to post-school adolescents;

Carrying out immunisation programmes, and undertaking measures to assist in disease prevention and control;

The provision of a health surveillance support service for the well-elderly in the community, including visits to the elderly, and consultation with other agencies in the planning and provision of services for the well-elderly;

Assessment of standards of care for the elderly in licensed old people's homes, together with advice to managers of old people's homes on health aspects of the standards of care, and making reports on the standards of care;

Assessment of standards of care for patients in private hospitals, and ensuring appropriate standards are maintained;

The provision of occupational health nursing services to assist in ensuring high standards of occupational health, including consultation with industry and Government departments;

The provision of domiciliary nursing services in rural areas;

Participating in orientation, staff training, and on-going education programmes; contributing to the education of nursing students and medical students, and other trainees in health fields; speaking in public groups on the role of the public health nursing service in the community;

The provision of support services for civil defence agencies;

Promotion of public health through prevention work, the education of the public, and consultation with community groups, Government departments, and other relevant agencies;

Ensuring appropriate planning and management of public health nursing services (including services performed by health assistants) in accordance with Government policy;

The provision of such other nursing services as may be required in accordance with Government policy.

Food Act 1981

Functions—The promotion and conservation of health in relation to food by the supervision of compliance with the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplements Regulations

1985, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations, and otherwise comply with the said Act and regulations.

Social Security Act 1964—Part II

Functions—The promotion and conservation of health, in the following respects:

Routine management of the dental benefits programme in accordance with the Social Security Act 1964, Part II, and the Social Security (Dental Benefits) Regulations, 1983;

The provision of advice and assistance to members of the public with respect to the benefits provided under the Social Security Act 1964, Part II, and the regulations made thereunder.

Toxic Substances Act 1979

Functions—The promotion and conservation of health in relation to toxic substances by the supervision of compliance with the Toxic Substances Act 1979 and the Toxic Substances Regulations 1983, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations and otherwise comply with the said Act and regulations.

Part B—Delegation Conditions

1. Except as provided in clause 2 of these conditions, nothing in this delegation shall confer on the Tairāwhiti Area Health Board (in this part called "the board") the function of instituting proceedings for alleged offences against any of the Acts or regulations referred to in Part A of the Schedule in this delegation.

2. The board shall have the function of instituting proceedings for alleged offences against the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985. Where the board requires the services of counsel with respect to any proceedings so instituted, it shall instruct the Crown Solicitor in the area health district to represent the board in the proceedings.

3. Where, in the view of the board, offences against any of the Acts or regulations referred to in Part A of the Schedule to this delegation (other than the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985) have occurred, the board shall inform the Department of Health, to enable prosecution of the alleged offender at the instance of an officer of the department to be considered.

Dated at Wellington this 13th day of October 1988.

GEORGE SALMOND, Director-General of Health.

9011674

Delegation of Functions of Department of Health to West Coast Area Health Board

Pursuant to section 36 (2) of the Area Health Boards Act 1983, I, George Cockburn Salmond, Director-General of Health, hereby delegate, with the consent of the Minister of Health, to the West Coast Area Health Board the functions of the Department of Health specified in Part A of the Schedule to this delegation, subject to the conditions set out in Part B of the Schedule to this delegation.

Schedule

Part A—Delegated Functions—Health Act 1956

Dental Health

Functions—The organisation and control of dental services so far as such services are paid for out of public money, in the following respects:

Management and maintenance of the School Dental Service, including consultation with education boards, in accordance with Government policy;

Having epidemiological surveys made for the purpose of identifying and analysing local dental health needs, measuring the extent to which needs are being met, and developing local dental health objectives and plans to meet those objectives within Government policy guidelines;

Consultation with the dental profession;

The provision and maintenance of dental services in hospitals;

Co-ordinating dental services to ensure the availability and provision of dental care of a high standard throughout the area health district;

Providing public health dentistry and preventive dentistry components in the training programmes at schools of nursing and health inspectors' courses;

Planning and co-ordinating study programmes and observation programmes for international aid students.

Public Health

Functions—The provision of advice to local authorities in matters relating to public health; the prevention, limitation, and suppression of infectious and other diseases; the promotion and carrying out of researches and investigations of matters concerning public health and the prevention or treatment of disease; the organisation and control of medical services so far as such services are paid for out of public money; the taking of all such steps as may be desirable to secure the preparation, effective carrying out, and co-ordination of measures conducive to the public health; all in the following respects:

Environmental Health

The promotion, surveillance, and evaluation of public water supplies and community water supplies; the preparation of reports for loan and subsidy applications for waterworks; the promotion of improved standards of treatment and operation of water supplies; the provision of advice and assistance to local authorities on water supplies; the investigation of complaints concerning water supplies;

The promotion, surveillance and evaluation of sewerage and of sewage disposal systems, and other methods of human waste disposal; the preparation of reports for loan and subsidy applications for sewage disposal works; the provision of advice and assistance to local authorities concerning sewerage and sewage disposal systems; the promotion of improved standards of treatment and operation of sewerage and sewage disposal systems; the investigation of complaints concerning sewerage and sewage disposal systems;

The promotion, surveillance and evaluation of solid waste collection and disposal systems; the preparation of reports for loan subsidy applications for solid waste management; the provision of advice and assistance to local authorities concerning solid waste collection and disposal; the promotion of improved standards of operation and management concerning solid waste collection and disposal; the investigation of complaints concerning solid waste collection and disposal;

The promotion, surveillance, and evaluation of hazardous waste disposal systems; the preparation of reports for loan and subsidy applications for hazardous waste management; the provision of advice and assistance to local authorities concerning hazardous waste disposal; the promotion of improved standards of operation and management concerning hazardous waste disposal; the investigation of complaints concerning hazardous waste disposal;

The surveillance and evaluation of swimming pool sanitation; the promotion of adequate standards of swimming pool sanitation;

The surveillance and evaluation of the effectiveness of pest

control; the provision of advice and assistance to local authorities and harbour boards on the control of rats, vermin, and insect pests;

The periodic review of the sanitary condition of dwellings, boarding houses, hostels, motels, old people's homes, and camping grounds;

The provision of advice to local authorities on public health needs with respect to public health issues of regional planning schemes and district planning schemes;

The investigation of odour emission, and other undesirable emissions, to the atmosphere; consultation, where appropriate, with the regional air pollution control officer and the local authority concerned;

The establishment and operation of monitoring programmes to measure air pollution in the area health district or any part thereof;

The surveillance and periodic evaluation of the noise climate; the provision of advice and assistance to local authorities on environmental noise; undertaking environmental noise surveys;

The provision of advice and assistance to local authorities, Government departments, public hospitals, and private hospitals, with respect to public health matters and health protection matters, as may be required;

The provision of advice and assistance to local authorities, regional councils and united councils, with respect to public health aspects of civil defence;

The investigation of applications for the establishment of offensive trades; the investigation of any proposal for the erection or extension of any premises for the purposes of or in connection with any offensive trade; granting or refusing consent to applications for the establishment or extension of any offensive trade;

The provision of health inspection services to local authorities;

The surveillance and evaluation of crematoria; the provision of advice and assistance to local authorities concerning crematoria; the investigation of complaints concerning crematoria; ensuring compliance with the Cremation Regulations 1973;

Ensuring compliance with Part IV of the Health Act 1956, and the Health (Quarantine) Regulations 1983;

Having regular sanitation inspections made of coastal shipping vessels;

The inspection and evaluation of port sanitation, including passenger terminal facilities, cargo workers' canteens, and all wharves and related buildings; having samples taken of the water supply at ports to enable assessments of bacteriological and chemical content of the water; making recommendations with respect to port sanitation and water quality to relevant authorities;

The inspection of the following classes of premises for the purpose of the evaluation of and, where appropriate, the reporting on public health standards at the premises, and for the purpose of ensuring compliance with the requirements of the Health Act 1956, and any regulations made thereunder, relevant to the said premises:

Schools.

Old people's homes.

Swimming pools.

Hairdressers' premises.

The inspection of, and reporting on, child care centres and residential homes for the purpose of the evaluation of the physical environmental standards, sanitary condition, and any adverse conditions;

The inspection of chartered clubs and other licensed premises for the purpose of the evaluation of health standards maintained at such clubs or premises, and reporting thereon;

Providing information as requested for the purpose of FAO and World Health Organisation food contamination monitoring programmes.

Occupational Health

Providing medical, nursing, and scientific advice about occupational health hazards and diseases to Government departments, employer organisations, employee organisations, Accident Compensation Corporation, voluntary organisations, and other relevant organisations;

Providing assistance in establishing occupational health services to relevant organisations, industry, Government departments;

Providing services for the investigation of, the reporting on, and, where possible, the improvement of environmental working conditions and the health of workers;

Providing occupational health services in priority areas, through occupational health centres, or in accordance with Government policy;

Ensuring, and promoting, the control of hazards at work;

Ensuring, and promoting, the safe use of chemicals in agriculture and industry;

Investigating occupational diseases;

The undertaking and assessment of noise surveys in workplaces;

Carrying out assessments and measurements on behalf of the National Radiation Laboratory pursuant to the Radiation Protection Act 1965 and the Radiation Protection Regulations 1982;

Investigation, evaluation and reporting on occupational deafness, and promoting its prevention;

Giving appropriate advice and technical assistance on health issues in industrial disputes;

Investigation of problems and complaints relating to occupational health;

Undertaking special surveys or investigations on a regional basis or as part of a national programme;

Providing appropriate training of occupational health staff;

Promoting awareness of occupational health hazards by appropriate education programmes for schools, tertiary institutions, industry, Government departments;

Ensuring that all persons on whom obligations are imposed by the following regulations meet those obligations, and otherwise comply with those regulations;

Asbestos Regulations 1983.

Electroplating Regulations 1955.

Fumigation Regulations 1967.

Lead Process Regulations 1950.

Spray Coating Regulations 1962.

Health Promotion

Arranging for medical and developmental examinations of children from specific groups;

Arranging for medical examination and assessment of school children referred by parents, teachers, psychologists, general practitioners, nurses and others;

Arranging for immunisations, including BCG vaccination and Rubella immunisation for selected groups;

Health surveillance and advice and support for selected age groups;

The provision of support for Plunket nurses, and for staff of the area health board;

The provision of advice on, and participation in, health promotion and health education programmes;

The provision of support and advisory services for community health development;

Arranging for hearing and vision tests on children, including follow up tests; referral of children with suspected defects; consulting with parents, and schools with respect to children with suspected defects;

Implementation of health education programmes within the area health district, whether of a regional or national nature;

The planning, co-ordination and evaluation of health promotion and health education programmes;

The provision of in-service training for area health board staff in health promotion and health education;

Preparation and provision of statistics on:

Infectious and notifiable diseases notifications

Clinical attendances for venereal diseases

Immunisations

X-ray surveillance of immigrants

Medical requirements of South Pacific immigrants

Child health

Arranging for measures to control and prevent the incidence of non-communicable diseases;

Promotion of health through good nutrition;

Undertaking measures to investigate, and control or prevent, the spread of infectious diseases; ensuring the isolation of persons likely to spread any infectious disease;

Ensuring compliance with the Venereal Diseases Regulations 1982.

Public Health Nursing

Functions—The organisation and control of public health nursing services so far as such services are paid for out of public money, in the following respects:

The promotion of primary health care by developing community profiles in consultation with the local community for the purpose of identifying health needs;

The provision of a family-centred nursing service that identifies family health needs and meets those needs by providing appropriate health surveillance, advice and support for "at risk" groups;

The supervision of infants and children in conjunction with the Plunket Society, and in accord with Government policy;

The provision of health surveillance of children in primary, intermediate and secondary schools, including correspondence schools;

The provision of health promotion services to post-school adolescents;

Carrying out immunisation programmes, and undertaking measures to assist in disease prevention and control;

The provision of a health surveillance support service for the well-elderly in the community, including visits to the elderly, and consultation with other agencies in the planning and provision of services for the well-elderly;

Assessment of standards of care for the elderly in licensed old people's homes, together with advice to managers of old people's homes on health aspects of the standards of care, and making reports on the standards of care;

Assessment of standards of care for patients in private hospitals, and ensuring appropriate standards are maintained;

The provision of occupational health nursing services to assist in ensuring high standards of occupational health, including consultation with industry and Government departments;

The provision of domiciliary nursing services in rural areas;

Participating in orientation, staff training, and on-going education programmes; contributing to the education of

nursing students and medical students, and other trainees in health fields; speaking in public groups on the role of the public health nursing service in the community;

The provision of support services for civil defence agencies;

Promotion of public health through prevention work, the education of the public, and consultation with community groups, Government departments, and other relevant agencies;

Ensuring appropriate planning and management of public health nursing services (including services performed by health assistants) in accordance with Government policy;

The provision of such other nursing services as may be required in accordance with Government policy.

Food Act 1981

Functions—The promotion and conservation of health in relation to food by the supervision of compliance with the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplements Regulations 1985, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations, and otherwise comply with the said Act and regulations.

Social Security Act 1964—Part II

Functions—The promotion and conservation of health, in the following respects:

Routine management of the dental benefits programme in accordance with the Social Security Act 1964, Part II, and the Social Security (Dental Benefits) Regulations, 1983;

The provision of advice and assistance to members of the public with respect to the benefits provided under the Social Security Act 1964, Part II, and the regulations made thereunder.

Toxic Substances Act 1979

Functions—The promotion and conservation of health in relation to toxic substances by the supervision of compliance with the Toxic Substances Act 1979 and the Toxic Substances Regulations 1983, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations and otherwise comply with the said Act and regulations.

Part B—Delegation Conditions

1. Except as provided in clause 2 of these conditions, nothing in this delegation shall confer on the West Coast Area Health Board (in this part called "the board") the function of instituting proceedings for alleged offences against any of the Acts or regulations referred to in Part A of the Schedule in this delegation.

2. The board shall have the function of instituting proceedings for alleged offences against the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985. Where the board requires the services of counsel with respect to any proceedings so instituted, it shall instruct the Crown Solicitor in the area health district to represent the board in the proceedings.

3. Where, in the view of the board, offences against any of the Acts or regulations referred to in Part A of the Schedule to this delegation (other than the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985) have occurred, the board shall inform the Department of Health, to enable prosecution of the alleged offender at the instance of an officer of the department to be considered.

Dated at Wellington this 13th day of October 1988.

GEORGE SALMOND, Director-General of Health.

go11675

Delegation of Functions of Department of Health to Southland Area Health Board

Pursuant to section 36 (2) of the Area Health Boards Act 1983, I, George Cockburn Salmond, Director-General of Health, hereby delegate, with the consent of the Minister of Health, to the Southland Area Health Board the functions of the Department of Health specified in Part A of the Schedule to this delegation, subject to the conditions set out in Part B of the Schedule to this delegation.

Schedule

Part A—Delegated Functions—Health Act 1956

Dental Health

Functions—The organisation and control of dental services so far as such services are paid for out of public money, in the following respects:

Management and maintenance of the School Dental Service, including consultation with education boards, in accordance with Government policy;

Having epidemiological surveys made for the purpose of identifying and analysing local dental health needs, measuring the extent to which needs are being met, and developing local dental health objectives and plans to meet those objectives within Government policy guidelines;

Consultation with the dental profession;

The provision and maintenance of dental services in hospitals;

Co-ordinating dental services to ensure the availability and provision of dental care of a high standard throughout the area health district;

Providing public health dentistry and preventive dentistry components in the training programmes at schools of nursing and health inspectors' courses;

Planning and co-ordinating study programmes and observation programmes for international aid students.

Public Health

Functions—The provision of advice to local authorities in matters relating to public health; the prevention, limitation, and suppression of infectious and other diseases; the promotion and carrying out of researches and investigations of matters concerning public health and the prevention or treatment of disease; the organisation and control of medical services so far as such services are paid for out of public money; the taking of all such steps as may be desirable to secure the preparation, effective carrying out, and co-ordination of measures conducive to the public health; all in the following respects:

Environmental Health

The promotion, surveillance, and evaluation of public water supplies and community water supplies; the preparation of reports for loan and subsidy applications for waterworks; the promotion of improved standards of treatment and operation of water supplies; the provision of advice and assistance to local authorities on water supplies; the investigation of complaints concerning water supplies;

The promotion, surveillance and evaluation of sewerage and of sewage disposal systems, and other methods of human waste disposal; the preparation of reports for loan and subsidy applications for sewage disposal works; the provision of advice and assistance to local authorities concerning sewerage and sewage disposal systems; the promotion of improved standards of treatment and operation of sewerage and sewage disposal systems; the investigation of complaints concerning sewerage and sewage disposal systems;

The promotion, surveillance and evaluation of solid waste collection and disposal systems; the preparation of reports for loan subsidy applications for solid waste management; the provision of advice and assistance to local authorities concerning solid waste collection and disposal; the promotion of improved standards of operation and management concerning solid waste collection and disposal; the investigation of complaints concerning solid waste collection and disposal;

The promotion, surveillance, and evaluation of hazardous waste disposal systems; the preparation of reports for loan and subsidy applications for hazardous waste management; the provision of advice and assistance to local authorities concerning hazardous waste disposal; the promotion of improved standards of operation and management concerning hazardous waste disposal; the investigation of complaints concerning hazardous waste disposal;

The surveillance and evaluation of swimming pool sanitation; the promotion of adequate standards of swimming pool sanitation;

The surveillance and evaluation of the effectiveness of pest control; the provision of advice and assistance to local authorities and harbour boards on the control of rats, vermin, and insect pests;

The periodic review of the sanitary condition of dwellings, boarding houses, hostels, motels, old people's homes, and camping grounds;

The provision of advice to local authorities on public health needs with respect to public health issues of regional planning schemes and district planning schemes;

The investigation of odour emission, and other undesirable emissions, to the atmosphere; consultation, where appropriate, with the regional air pollution control officer and the local authority concerned;

The establishment and operation of monitoring programmes to measure air pollution in the area health district or any part thereof;

The surveillance and periodic evaluation of the noise climate; the provision of advice and assistance to local authorities on environmental noise; undertaking environmental noise surveys;

The provision of advice and assistance to local authorities, Government departments, public hospitals, and private hospitals, with respect to public health matters and health protection matters, as may be required;

The provision of advice and assistance to local authorities, regional councils and united councils, with respect to public health aspects of civil defence;

The investigation of applications for the establishment of offensive trades; the investigation of any proposal for the erection or extension of any premises for the purposes of or in connection with any offensive trade; granting or refusing consent to applications for the establishment or extension of any offensive trade;

The provision of health inspection services to local authorities;

The surveillance and evaluation of crematoria; the provision of advice and assistance to local authorities concerning crematoria; the investigation of complaints concerning crematoria; ensuring compliance with the Cremation Regulations 1973;

Ensuring compliance with Part IV of the Health Act 1956, and the Health (Quarantine) Regulations 1983;

Having regular sanitation inspections made of coastal shipping vessels;

The inspection and evaluation of port sanitation, including passenger terminal facilities, cargo workers' canteens, and all wharves and related buildings; having samples taken of the water supply at ports to enable assessments of bacteriological

and chemical content of the water; making recommendations with respect to port sanitation and water quality to relevant authorities;

The inspection of the following classes of premises for the purpose of the evaluation of and, where appropriate, the reporting on public health standards at the premises, and for the purpose of ensuring compliance with the requirements of the Health Act 1956, and any regulations made thereunder, relevant to the said premises:

Schools.

Old people's homes.

Swimming pools.

Hairdressers' premises.

The inspection of, and reporting on, child care centres and residential homes for the purpose of the evaluation of the physical environmental standards, sanitary condition, and any adverse conditions;

The inspection of chartered clubs and other licensed premises for the purpose of the evaluation of health standards maintained at such clubs or premises, and reporting thereon;

Providing information as requested for the purpose of FAO and World Health Organisation food contamination monitoring programmes.

Occupational Health

Providing medical, nursing, and scientific advice about occupational health hazards and diseases to Government departments, employer organisations, employee organisations, Accident Compensation Corporation, voluntary organisations, and other relevant organisations;

Providing assistance in establishing occupational health services to relevant organisations, industry, Government departments;

Providing services for the investigation of, the reporting on, and, where possible, the improvement of environmental working conditions and the health of workers;

Providing occupational health services in priority areas, through occupational health centres, or in accordance with Government policy;

Ensuring, and promoting, the control of hazards at work;

Ensuring, and promoting, the safe use of chemicals in agriculture and industry;

Investigating occupational diseases;

The undertaking and assessment of noise surveys in workplaces;

Carrying out assessments and measurements on behalf of the National Radiation Laboratory pursuant to the Radiation Protection Act 1965 and the Radiation Protection Regulations 1982;

Investigation, evaluation and reporting on occupational deafness, and promoting its prevention;

Giving appropriate advice and technical assistance on health issues in industrial disputes;

Investigation of problems and complaints relating to occupational health;

Undertaking special surveys or investigations on a regional basis or as part of a national programme;

Providing appropriate training of occupational health staff;

Promoting awareness of occupational health hazards by appropriate education programmes for schools, tertiary institutions, industry, Government departments;

Ensuring that all persons on whom obligations are imposed by the following regulations meet those obligations, and otherwise comply with those regulations;

Asbestos Regulations 1983.

Electroplating Regulations 1955.

Fumigation Regulations 1967.

Lead Process Regulations 1950.

Spray Coating Regulations 1962.

Health Promotion

Arranging for medical and developmental examinations of children from specific groups;

Arranging for medical examination and assessment of school children referred by parents, teachers, psychologists, general practitioners, nurses and others;

Arranging for immunisations, including BCG vaccination and Rubella immunisation for selected groups;

Health surveillance and advice and support for selected age groups;

The provision of support for Plunket nurses, and for staff of the area health board;

The provision of advice on, and participation in, health promotion and health education programmes;

The provision of support and advisory services for community health development;

Arranging for hearing and vision tests on children, including follow up tests; referral of children with suspected defects; consulting with parents, and schools with respect to children with suspected defects;

Implementation of health education programmes within the area health district, whether of a regional or national nature;

The planning, co-ordination and evaluation of health promotion and health education programmes;

The provision of in-service training for area health board staff in health promotion and health education;

Preparation and provision of statistics on:

Infectious and notifiable diseases notifications

Clinical attendances for venereal diseases

Immunisations

X-ray surveillance of immigrants

Medical requirements of South Pacific immigrants

Child health

Arranging for measures to control and prevent the incidence of non-communicable diseases;

Promotion of health through good nutrition;

Undertaking measures to investigate, and control or prevent, the spread of infectious diseases; ensuring the isolation of persons likely to spread any infectious disease;

Ensuring compliance with the Venereal Diseases Regulations 1982.

Public Health Nursing

Functions—The organisation and control of public health nursing services so far as such services are paid for out of public money, in the following respects:

The promotion of primary health care by developing community profiles in consultation with the local community for the purpose of identifying health needs;

The provision of a family-centred nursing service that identifies family health needs and meets those needs by providing appropriate health surveillance, advice and support for "at risk" groups;

The supervision of infants and children in conjunction with the Plunket Society, and in accord with Government policy;

The provision of health surveillance of children in primary, intermediate and secondary schools, including correspondence schools;

The provision of health promotion services to post-school adolescents;

Carrying out immunisation programmes, and undertaking measures to assist in disease prevention and control;

The provision of a health surveillance support service for the well-elderly in the community, including visits to the elderly, and consultation with other agencies in the planning and provision of services for the well-elderly;

Assessment of standards of care for the elderly in licensed old people's homes, together with advice to managers of old people's homes on health aspects of the standards of care, and making reports on the standards of care;

Assessment of standards of care for patients in private hospitals, and ensuring appropriate standards are maintained;

The provision of occupational health nursing services to assist in ensuring high standards of occupational health, including consultation with industry and Government departments;

The provision of domiciliary nursing services in rural areas;

Participating in orientation, staff training, and on-going education programmes; contributing to the education of nursing students and medical students, and other trainees in health fields; speaking in public groups on the role of the public health nursing service in the community;

The provision of support services for civil defence agencies;

Promotion of public health through prevention work, the education of the public, and consultation with community groups, Government departments, and other relevant agencies;

Ensuring appropriate planning and management of public health nursing services (including services performed by health assistants) in accordance with Government policy;

The provision of such other nursing services as may be required in accordance with Government policy.

Food Act 1981

Functions—The promotion and conservation of health in relation to food by the supervision of compliance with the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplements Regulations 1985, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations, and otherwise comply with the said Act and regulations.

Social Security Act 1964—Part II

Functions—The promotion and conservation of health, in the following respects:

Routine management of the dental benefits programme in accordance with the Social Security Act 1964, Part II, and the Social Security (Dental Benefits) Regulations, 1983;

The provision of advice and assistance to members of the public with respect to the benefits provided under the Social Security Act 1964, Part II, and the regulations made thereunder.

Toxic Substances Act 1979

Functions—The promotion and conservation of health in relation to toxic substances by the supervision of compliance with the Toxic Substances Act 1979 and the Toxic Substances Regulations 1983, insofar as it is carried out by employees of an area health board, by ensuring that all persons on whom obligations are imposed by the said Act and regulations meet those obligations and otherwise comply with the said Act and regulations.

Part B—Delegation Conditions

1. Except as provided in clause 2 of these conditions, nothing in this delegation shall confer on the Southland Area Health Board (in this part called "the board") the function of instituting proceedings for alleged offences against any of the Acts or regulations referred to in Part A of the Schedule in this delegation.

2. The board shall have the function of instituting proceedings for alleged offences against the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985. Where the board requires the services of counsel with respect to any proceedings so instituted, it shall instruct the Crown Solicitor in the area health district to represent the board in the proceedings.

3. Where, in the view of the board, offences against any of the Acts or regulations referred to in Part A of the Schedule to this delegation (other than the Food Act 1981, the Food Hygiene Regulations 1974, the Food Regulations 1984, and the Dietary Supplement Regulations 1985) have occurred, the board shall inform the Department of Health, to enable prosecution of the alleged offender at the instance of an officer of the department to be considered.

Dated at Wellington this 13th day of October 1988.

GEORGE SALMOND, Director-General of Health.

9011676

Medicines Act 1981**Consent to the Distribution of New Medicines**

Pursuant to section 20 of the Medicines Act 1981, the Minister of Health hereby consents to the distribution in New Zealand of the new medicines set out in the Schedule hereto:

Schedule

<i>Name and Strength</i>	<i>Form</i>	<i>Name and Address of Manufacturer</i>	<i>Proprietary Name (if any)</i>
Tinidazole 3% w/w	Cream	Pfizer Laboratories Ltd., New Zealand or Brazil	Gyno-Trosyd-F
Tioconazole 2% w/w	Tablet		
Tinidazole 150 mg	Tablet		
Tioconazole 100 mg	Tablet	Spectrum Laboratories Ltd., Auckland	AsParCod
Aspirin 250 mg, Paracetamol 250 mg and Codeine phosphate 8 mg	Tablet	Pacific Pharmaceuticals Ltd., Auckland	Calcid
Calcium carbonate 420 mg	Tablet	Ciba-Geigy Ltd., Switzerland	Cataflam
Glycine 180 mg	Tablet	Ferring A/S, Denmark	Pentasa
Diclofenac potassium 25 mg and 50 mg	Tablet		
5-Aminosalicylic acid 250 mg	Tablet		
5-Aminosalicylic acid 1 g per 100 ml	Enema		
Podophyllotoxin 0.0175 g per 3.5 ml	Solution	Gist-brocades nv, The Netherlands	Condyline
Chlorhexidine acetate BP 0.5% w/w	Gauze	T. J. Smith & Nephew Ltd., England	Bactigras
Monoclonal antibodies to human chorionic gonadotropin	Pregnancy test kit	Unipath Ltd., England	Clearblue One-Step
Paracetamol	Suppository	Mallinkrodt, U.S.A.	Panadol

Dated this 7th day of October 1988.

DAVID CAYGILL, Minister of Health.

go11508

Internal Affairs

Video Recordings Act 1987

Decisions of the Video Recordings Authority, September 1988

The decisions made by the Authority for this period are published in accordance with section 28 of the Video Recordings Act 1987.

Format System	Applicant	Director	Title	Running Time F T	Country of Origin	Decision (including description)	Reasons for Refusal, Excisions	Remarks
Thursday, 1 September 1988								
VHS/PAL	V. M. Distributors Ltd.	Bruce Seven	TEACHER'S FAVORITE PET	82.42	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		English dialogue, Scandinavian subtitles.
VHS/PAL	CBS/FOX Video	J. Piquer Simon	PIECES	81.54	U.S.A.	Indecent in the hands of persons under the age of 18 years; content may disturb		
VHS/NTSC	Video Entertainment Ltd.	Jerome Tanner	TWINS	73.14	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/NTSC	Video Entertainment Ltd.	Jerome Tanner	MOONLUSTING II	78.30	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
Monday, 5 September 1988								
VHS/PAL	Nayco Corporation	Stephanie Rothman	TERMINAL ISLAND	84.36	U.S.A.	Indecent in the hands of persons under the age of 16 years; contains violence		
VHS/NTSC	Video Entertainment Ltd.	Paul Thomas	ROMEO AND JULIET	85.18	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
Tuesday, 6 September 1988								
VHS/PAL	Nayco Corporation	Bill Eagle	IN THE PINK	86.02	U.K.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
Thursday, 8 September 1988								
VHS/PAL	Video Wholesalers Ltd.	Danilo Cabreira	ENEMY TERRITORY Magic Of The Universe	87.40 2.00	U.S.A./ Mexico	Indecent in the hands of persons under the age of 16 years; contains violence		
VHS/PAL	Videocorp International Ltd.	Dimitri Logothetis	SLAUGHTERHOUSE ROCK Dixies Lane	79.50 1.48	U.S.A.	Indecent in the hands of persons under the age of 16 years; contains violence	Excision: horror and violence	
Friday, 9 September 1988								
VHS/PAL	V. M. Distributors Ltd.	Not stated	DIARY OF A BAD GIRL	77.58	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		English dialogue, Dutch subtitles
Monday, 12 September 1988								
VHS/PAL	The Society For Promotion of Community Standards	Robert McCallum	HOT RACKETS	77.23	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Nayco Corporation	Dacosta Carayan	TANGO OF PERVERSION	82.30	Italy	Indecent in the hands of persons under the age of 18 years; content may offend/disturb		
VHS/PAL	Kerridge Odeon Amalgamated Video Services	Jim Clark	DEBBIE DOES DALLAS	83.46	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/NTSC	Video Entertainment Ltd.	Jerome Tanner	JEWELS OF THE NIGHT	67.45	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material	Excision: sex	
VHS/PAL	CBS/FOX Video	Bob Rafelson	THE POSTMAN ALWAYS RINGS TWICE	120.55	U.S.A.	Indecent in the hands of persons under the age of 18 years		
VHS/PAL	Video Marketing (NZ) Ltd.	Bruce Li/Joseph Kong	NINJA STRIKES BACK	80.30	Hong Kong	Indecent in the hands of persons under the age of 16 years; contains violence		Dubbed into English
VHS/NTSC	Video Entertainment Ltd.	Jerome Tanner	NYMPHETTE DOES HOLLYWOOD	75.24	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material	Excisions: offensive language and sex	
VHS/PAL	Kerridge Odeon Amalgamated Video Services	Jag Mundhra	DEATH MASK	87.07	U.S.A.	Indecent in the hands of persons under the age of 18 years; content may disturb	Excision: violence	
Tuesday, 13 September 1988								
VHS/PAL	Warner Home Video Ltd.	Brian De Palma	CARRIE The Great Texas Dynamite Chase	93.50 1.34	U.S.A.	Indecent in the hands of persons under the age of 16 years		
Wednesday, 14 September 1988								
VHS/PAL	Video Marketing (NZ) Ltd.	Bruce Lambert	NINJA THE VIOLENT SORCEROR	86.18	Hong Kong	Indecent in the hands of persons under the age of 16 years; contains violence		Dubbed into English

Format System	Applicant	Director	Title	Running Time F T	Country of Origin	Decision (including description)	Reasons for Refusal, Excisions	Remarks
VHS/PAL VHS/ NTSC	Nayco Corporation Video Entertainment Ltd.	Bo Koup David Michel	SWEETHEART HOT CARS NASTY WOMEN	62.00 76.17	U.S.A. U.S.A.	Indecent Indecent in the hands of persons under the age of 18 years; contains explicit sexual material	Reason: sex Excisions: sex	
Thursday, 15 September 1988								
VHS/PAL	RCA Columbia Pictures Hoyts Video Pty. Ltd.	Paul Hunt	TWISTED NIGHTMARE The Last Emperor Masters of The Universe—The Motion Picture No Way Out	90.54 2.20 1.33 1.77	U.S.A.	Indecent in the hands of persons under the age of 16 years; contains violence		
Friday, 16 September 1988								
VHS/PAL	Video Excellence Ltd.	Not stated	UNTITLED (THE FANTASY TRADE)	57.27	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Video Utopia Ltd.	Darr Michaels	YOUNG DOCTORS IN LUST	80.19	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
BETA/PAL	Video Excellence Ltd.	Not stated	UNTITLED (A WOMAN'S LUST)	54.41	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Video Excellence Ltd.	Not stated	UNTITLED (MY WAY)	59.22	Not stated	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Video Utopia Ltd.	Greg Poupon	COME SOFTLY	57.18	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material	Excisions: sex and violence	
VHS/PAL	Nayco Corporation	Don Jurwich	ONCE UPON A GIRL	69.40	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material	Excision: sex	
BETA/PAL	CBS/FOX Video	Charles Jarrott	THE OTHER SIDE OF MIDNIGHT	158.54	U.S.A.	Indecent in the hands of persons under the age of 16 years		
VHS/PAL	Video Show Ltd.	Godfrey Ho	NINJA DESTROYER	83.42	Hong Kong	Indecent in the hands of persons under the age of 16 years; contains violence	Excision: violence	English dialogue some characters dubbed
Wednesday, 21 September 1988								
VHS/PAL	CEL	Just Jaekin	THE STORY OF O Emmanuelle	92.40	U.K.	Indecent	Reason: sex and violence	Dubbed into English
VHS/PAL	Warner Home Video Ltd.	Michael Cimino	THE DEER HUNTER	175.04	U.S.A.	Indecent in the hands of persons under the age of 16 years; contains violence		
VHS/PAL	Comptroller of Customs	Not stated	VIDEO PROGRAMME NO. 324	29.05	Unknown	Indecent	Reason: sex	Dubbed into English
VHS/PAL	Video Utopia Ltd.	Lawrence Cole	THE SECRETS OF JENNIFER	77.54	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	CBS/FOX Video	Robin Spry	DRYING UP THE STREETS	82.25	Canada	Indecent in the hands of persons under the age of 16 years		
VHS/PAL	Video Marketing (NZ) Ltd.	Wallace Chan	CLASH OF THE NINJAS	87.54	Hong Kong	Indecent in the hands of persons under the age of 18 years; contains violence		Dubbed into English
VHS/PAL	Video Unlimited (NZ) Ltd.	Albie Thomas	PALM BEACH	84.06	Australia	Indecent in the hands of persons under the age of 16 years		
VHS/PAL	Video Marketing (NZ) Ltd.	Tommy Cheng	NINJA, DEMON'S MASSACRE	85.50	Hong Kong	Indecent in the hands of persons under the age of 18 years; contains violence		Dubbed into English
VHS/PAL	Valiant Int. Pictures (Hallmark Video Ltd.)	Not stated	TWIN FANTASY	57.11	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Valiant Int. Pictures (Hallmark Video Ltd.)	Not stated	WILD EYES	57.25	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
Monday, 26 September 1988								
VHS/PAL	CEL	Larry Cohen	BLIND ALLEY	87.22	U.S.A.	Indecent in the hands of persons under the age of 16 years		
VHS/PAL	Video One Ltd.	Ratno Timoor	THE BLIND WARRIOR	86.32	India	Indecent in the hands of persons under the age of 18 years; contains violence		Dubbed into English
VHS/PAL	Video Wholesalers Ltd.	Scotty Fox	Fury CHUCK AND DI IN HEAT Hill St. Blacks Black Valley Girls	72.00 5.05 3.43	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material	Excisions: sex	
Tuesday, 27 September 1988								
VHS/PAL	Independent Sales and Management	Daryl Duke	THE SILENT PARTNER	104.41	Canada	Indecent in the hands of persons under the age of 16 years; contains violence		
VHS/PAL	Videocorp International Ltd.	Brian Trenchard- Smith	TURKEY SHOOT Basket Case Cujo Double Deal	89.15 0.38 1.37 1.02	Australia	Indecent in the hands of persons under the age of 18 years; contains violence	Excision: cruelty	

Format System	Applicant	Director	Title	Running Time F T	Country of Origin	Decision (including description)	Reasons for Refusal, Excisions	Remarks
			A Small Town in Texas	1.36				
VHS/PAL	Warner Home Video Ltd.	Roy Ward Baker	THE LEGEND OF THE 7 GOLDEN VAMPIRES	85.20	U.K.	Indecent in the hands of persons under the age of 18 years; contains violence		
			Police Academy 5 Assignment: Miami Beach	1.39				
			Moving	1.19				
			The Escape Artist	0.50				
Wednesday, 28 September 1988								
VHS/PAL	Taboo Erotica (Galaxy Video Ltd.)	Bob Vosse	MARDI GRAS Double Dare	78.52 1.40	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	CEL	Mike Nichols	CARNAL KNOWLEDGE	93.07	U.S.A.	Indecent in the hands of persons under the age of 16 years		
			Paradise	2.28				
			Trinity Is Still My Name	2.46				
			Vice Squad	1.25				
			Zapped	2.27				
			Macho Callahan	1.26				
			Final Exam	1.17				
VHS/PAL	Taboo Erotica (Galaxy Video Ltd.)	Robert McCallum	BARBARA THE BARBARIAN Double Dare	65.35 1.45	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
Friday, 30 September 1988								
VHS/PAL	Video One Ltd.	Joseph Merhi	FRESH KILL	85.33	U.S.A.	Indecent	Reason: crime and violence	
			LA Crack Down	3.27				
			The Glass Jungle	3.09				
VHS/PAL	Taboo Erotica (Galaxy Video Ltd.)	Duck Dumont	LOVERS LANE Double Dare	73.06 1.47	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Video Marketing (NZ) Ltd.	Bruce Le/Dick Randle	CHALLENGE OF THE TIGER	85.00	Not stated	Indecent in the hands of persons under the age of 16 years; contains violence		
BETA/PAL	CIC-TAFT Video (NZ) Ltd.	Francis Coppola	APOCALYPSE NOW	186.33	U.S.A.	Indecent in the hands of persons under the age of 16 years; contains violence and/or offensive language		
VHS/PAL	Kerridge Odeon Amalgamated Video Services	Michael Winner	DEATH WISH 3 Robbery Under Arms	86.13 2.57	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains violence		
VHS/PAL	Caballero Video Ltd.	Edwin Durell	EVERY WOMAN HAS A FANTASY PART 2	76.47	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Warner Home Video Ltd.	Robert Clouse	FORCE FIVE	89.29	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains violence		
			Police Academy 5 Assignment: Miami Beach	1.39				
			Moving	1.16				
			The Escape Artist	0.52				
VHS/PAL	Caballero Video Ltd.	Paul G Vattelli	NASTY NURSES Bodacious Ta-Ta's	80.59 0.31	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material		
VHS/PAL	Warner Home Video Ltd.	Robert Mulligan	BLOOD BROTHERS	111.17	U.S.A.	Indecent in the hands of persons under the age of 16 years; contains violence and offensive language		
VHS/NTSC	Video Entertainment Ltd.	Jerome Tanner	ORAL MAJORITY 2	77.30	U.S.A.	Indecent in the hands of persons under the age of 18 years; contains explicit sexual material	Excision: sex	

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Justice

Broadcasting Act 1976

Decision No. 19/88

COM: 5/87

Before the Broadcasting Tribunal

In the matter of the Broadcasting Act 1976, and in the matter of a complaint by **Douglas Willett Jane** of Auckland, recording engineer:

Warrant Holder: Triple M Limited:

Chairman: B. H. Slane.

Member: Robert Boyd-Bell.

Co-opted Members: Diane Billing and J. A. Kelleher

Decision

Dated the 7th day of June 1988.

This complaint arose from the broadcast on the Auckland private commercial radio station Triple M/Stereo FM on 23 January 1987 of a news item concerning the death of the Pennsylvania State Treasurer, Budd Dwyer, who shot himself during a news conference in the United States.

The Background:

On 25 January 1987 Mr Jane wrote to the Tribunal to lodge a formal complaint about the broadcast on Triple M/Stereo FM during the midday news on 23 January of an audio "drop" comprising a sound recording of Mr Dwyer shooting himself during a news conference in the United States.

The audio "drop" consisted of actuality recording of the news conference covering the period during which Mr Dwyer shot himself and the subsequent confused reaction of those present.

Mr Jane was advised by the Registrar that the Tribunal was not empowered to consider complaints that had not previously been formally referred to the warrant holder for consideration. He subsequently copied his complaint to the station on 9 February.

The Complaint:

In his letter lodging a formal complaint with the radio station, Mr Jane identified two principal grounds for his concern.

First, he complained that the audio recording of the shooting had been broadcast twice within the same news bulletin, repetition he considered offensive, unnecessary and sensationalist.

Secondly, Mr Jane complained that the audio "drop" was of interest only because it recorded the actual event, that there was no useful information for the listener contained in it and there was no need for it to have been played at all.

Mr Jane explained that he had telephoned the station's news department and discussed the matter with the news editor, asking whether the station intended repeating the item. He said it was subsequently broadcast again at 1 p.m., but the actuality audio material was broadcast only once on that occasion.

Mr Jane said he had also discussed the item by telephone with Radio New Zealand and Radio Hauraki, who told him they did not intend broadcasting audio coverage of the incident. He said Radio Pacific did broadcast the story although Television New Zealand had not covered it in either its 6.30 p.m. or 10 p.m. news programmes that day.

The New Zealand Herald had reported the incident with a series of photographs.

The Station's Response:

The General Manager of Triple M/Stereo FM, Mr A. A. Withrington, replied to Mr Jane by letter on 11 February. He acknowledged a previous telephone conversation with Mr Jane on the day of the broadcast but reiterated his support of the station's News Director in handling the material in the way he had.

Mr Withrington said he did not agree that the use of the audio coverage was sensationalist; he considered that audio material added to the realism of a news event however unpleasant it may be. He also said many news items were unpleasant and he had lost count of the number of times he had heard or seen coverage of President Kennedy being shot. He also referred to *The New Zealand Herald* having seen fit to publish a sequence of pictures of the incident.

Referral to the Tribunal:

Mr Jane referred his formal complaint to the Tribunal on 27 February 1987.

Mr Jane had not completed the declaration associated with the complaint in an appropriate manner and was advised that the Tribunal could not proceed with consideration of the complaint until he did. This was subsequently received by the Tribunal on 5 May 1987, when Mr Jane also supplied an audio recording of the station's 1 p.m. news bulletin of 23 January.

Station Submissions:

Mr Withrington advised the Tribunal on 3 April 1987 that the station had considered the complaint under section 95 (c) of the Broadcasting Act and was satisfied that the item in question was sufficiently newsworthy to be broadcast in the way it had been.

He said a tape of the news item concerned had not been retained.

Decision:

Section 95 (1) of the Broadcasting Act includes the following provisions:

"Each private broadcaster shall be responsible for

maintaining in its programmes and their presentation, standards which will be generally acceptable in the community, and in particular it shall have regard to— . . .
(c) The observance of standards of good taste and decency: . . ."

The Tribunal was not able to hear the item as originally broadcast by Triple M/Stereo FM on its midday news on 23 January. The station had not retained a recording of the news bulletin and Mr Jane had been able to provide only a recording he made of the subsequent broadcast at 1 p.m., which was not identical to the broadcast complained of.

The Tribunal considers that the unusual circumstances of Mr Dwyer's suicide did render the incident newsworthy, though perhaps of limited direct relevance to a New Zealand audience listening to an FM stereo music station.

The issue before the Tribunal was whether the way the story was treated offended against "standards of good taste and decency" . . . "generally acceptable in the community".

In Australia, edited television coverage of the incident was broadcast in some early evening television news bulletins. That was found by the Australian Broadcasting Tribunal to have breached its programme standards. The Australian Tribunal considered that the television coverage should have been modified to a greater degree and more adequate warning of its content given.

In New Zealand it appears that most radio stations chose not to broadcast the actuality audio material and television chose not to broadcast actuality coverage available that day either.

Triple M/Stereo FM has a stated target audience of 18 to 39 and at midday during the January summer holidays might be expected to have a reasonable proportion of younger listeners.

Questions of good taste and decency in the end devolve to matters of judgement.

This Tribunal does not consider that the incident was such that it should not have been reported at all, nor did the complainant seek such a ruling.

The quality of the audio material that was made available to the Tribunal was not such that it added significantly to the Tribunal's understanding of what had occurred nor, we suspect, would it have done so for the station's audience.

Mr Withrington's argument that audio actuality adds to the realism of a news event depends to some degree on the quality of the material and the significance of the event. Nor did he advance any justification for the material being broadcast twice in the same bulletin beyond disagreeing that the coverage was sensationalist.

Whether or not a major New Zealand newspaper chose to publish a selected series of still photographs of the incident has little direct bearing on judging whether broadcasting actuality audio coverage was in good taste.

Having regard to all the circumstances, the quality of the audio material and the significance (or lack of it) of the incident to New Zealanders in general, the Tribunal considers that any broadcast of the actuality audio material would have been only marginally justifiable.

Its repetition twice within the same bulletin, in our opinion, constituted a breach of standards of good taste.

Because of that, Mr Jane's complaint is upheld.

We note that, while the station's news editor and General Manager continued to defend their original decision both to Mr Jane and the Tribunal, they had in fact modified the nature of the coverage following Mr Jane's original telephone call. We are pleased that they did. Some evidence of willingness to acknowledge a possible error of judgement might have added to the station's credibility to Mr Jane.

The Tribunal is concerned that the station was unable to provide a record of the item as broadcast, although it was certainly aware within a few weeks that a formal complaint had

been lodged because Mr Withrington wrote to Mr Jane on 11 February 1987 acknowledging his complaint and enclosing information on the procedure to be followed if he wished to pursue the matter further.

The Tribunal will require Triple M/Stereo FM to inform it of the procedures followed by the station to maintain written and audio records of material broadcast, and the manner in which these records are handled when advice of a complaint has been received.

Co-opted Members:

Diane Billing and J. A. Kelleher 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:

R. BOYD-BELL, Member.

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Decision No. 21/88

COM: 2/88

Before the Broadcasting Tribunal

In the matter of the Broadcasting Act 1976, and in the matter of a complaint by **M. A. Morrison** of Lower Hutt:

Warrant Holder: The Broadcasting Corporation of New Zealand (Television One):

Members: Anne E. Wilson and Robert Boyd-Bell.

Co-opted Members: Russell Campbell and G. K. Drury.

Decision

The Complaint

On 17 January 1988 Mrs M. A. Morrison referred to the Tribunal a complaint about the programme called "The Singing Detective" which played over some weeks on Television One. Her particular complaint concerned the episode broadcast on Monday, 19 October 1987, commencing at 9.30 p.m. and was specifically about a scene which was broadcast at approximately 10.15 p.m. Mrs Morrison maintained that the programme "contained pornographic intercourse scenes" and felt that the scenes were not acceptable and went beyond reasonable standards of decency. She claimed this was in breach of the Corporation's responsibility as outlined in section 24 (1) (c) of the Broadcasting Act 1976.

That section reads:

"(1) The Corporation shall be responsible for maintaining, in its programmes and their presentation, standards which will be generally acceptable in the community, and in particular it shall have regard to—

(c) The observance of standards of good taste and decency."

The particulars of the complaint were stated in the formal complaint form as follows:

"Intercourse scenes as outlined in my letter to BCNZ 20 October 1987 should not be screened from 9.30 p.m. onwards which is a relatively early part of the evening because many children are viewing programmes much later than this. Headmasters and teachers regularly complain that pupils watch television till late at night. I challenge the BCNZ statement that the man's genitals were not shown because after he withdrew from the act of intercourse his penis was clearly visible. This is definitely an infringement of the Broadcasting Act section 24 (1) (c) 'the observance of standards of good taste and decency'."

Her particular objection was expressed as:

"The particular pornographic intercourse scenes are not

suitable for screening at *any time* so the 9.30 p.m. slot is irrelevant and the scenes were gratuitous and prurient and offended the Broadcasting Act section 24 (1) (c). Marital infidelity was part of the plot of the programme but the explicitness was not at all necessary to convey this. Marital infidelity is a regular theme in television programmes and is conveyed in an acceptable manner without sexual explicitness. These scenes could and should have been cut without in any way affecting the theme. There was ample time to cut the scene before the actual offensive intercourse took place; for example when the man lifted her dress, lowered her panties and she lay on her back on the ground. Any normal person would automatically conclude what would have followed; for this reason I consider the scene gratuitous. The 'dramatic significance' of the scene being observed by a juvenile boy would not have been impaired if the recommended cut had been made, and for this reason in my opinion the scenes were most 'inappropriate'. It follows that the NZBC believes it can show anything and everything under the title 'dramatic significance'."

Complaint to the BCNZ

Mrs Morrison had previously laid a formal complaint with the Broadcasting Corporation. The programme was shown on 19 October and she wrote to them the next day laying a complaint under section 24 (1) (c). The Secretary of the Corporation replied to her on 22 December 1987 advising that the Corporation had concluded that it was not in breach of the Act and that the complaint could not be upheld. Shortly after Mrs Morrison laid her complaint with the Tribunal.

As Mrs Morrison's description of the scenes, in her letter of 20 October to the Corporation, are the basis of her complaint, they are quoted here.

"It is most insulting to have beamed into one's lounge a man with his trousers off penetrating a woman who is lying on her back with her legs twined round his waist. All the motions of intercourse were performed and I believe live sex took place. When the man withdrew his genitals were shown.

This scene was followed with a similar one in which the woman asked the man to remain inside her, which he did. Breast fondling followed and most intimate talk. . . .

The scenes occurred about half way through and lasted a long time. They were not fleeting scenes. The idea of marital infidelity could have been sustained by the man lifting her dress. The actual sex shown was gratuitous and prurient and served no honest purpose."

The Corporation Response

The Corporation, in their reply, stated that "the scene in question was an integral part of an ugly, unpleasant experience in a young person's life, one with lasting effects. It was not designed as a gratuitous act to titillate the viewers imagination, but was an integral part of the structure of the series. Although it was more explicit than might normally be accepted, it was specifically relevant to the whole drama series and, given its dramatic significance, not inappropriate."

When Mrs Morrison laid her complaint with the Tribunal she stated that she was dissatisfied with the outcome of the complaint to the Corporation because

"Even though the Broadcasting Corporation of New Zealand conceded that the intercourse scene 'was more explicit than might normally be accepted' I maintain the scene was not acceptable and went beyond reasonable standards of decency. It was the type of activity one expects to find only in a dirty pornographic video. The same offensive scene was screened twice in this series."

She considered that the decision should have been that the programme should have been cut and the offensive scene deleted.

Decision

The Tribunal, including the co-opted members, watched a videotape of the programme and considered the arguments put by both parties. The Tribunal considered the arguments under two separate headings: timing and explicitness.

Timing

The programme began at 9.30 p.m. and, as the BCNZ advised, had a special category certificate. This is part of its internal programme censorship and means that the programme cannot be shown before 9.30 p.m. In fact the particular scenes were broadcast at approximately 10.15 p.m., on a Monday night. This is not regarded as peak viewing time and the Tribunal finds that the timing would not be grounds for upholding the complaint.

Mrs Morrison's view was that the timespot was really irrelevant as the scenes were so unacceptable as to be not suitable for screening at any time. This is considered under the later heading.

The Tribunal also noted that this episode was the third in a series which was marked by its extreme realism. The tone of the earlier episodes, and indeed the tone of the particular programme, was such that the incident would not be surprising. There were other incidents in the programme that were disturbing—for example the death of the older man in hospital, and his descriptions of soldiers' lecherous behaviour during the liberation of Hamburg. Our view is that it cannot be expected that programmes will be as sanitised at that hour as is necessary earlier in the evening.

Part of Mrs Morrison's complaint was her concern about children who might be watching programmes at this time. Her view is that many children watch television until late at night and that headmasters and teachers regularly complain of this. However we consider it is unlikely that many children would have been watching this particular programme at this particular time. The intellectual complexity of the programme would have been too much for most children and the programme would have been unlikely to hold the casual interest of children. A young person who had persevered in watching "The Singing Detective" for three quarters of an hour would, we consider, have had to have a very mature intellect and outlook on life, and would have been able to cope with these particular scenes.

The Tribunal is of the view that this programme was not one which was likely to have been watched by accident. The viewer would not casually turn it on and continue to watch for light entertainment or in the hope of sexual titillation. It was a programme requiring considerable concentration from the viewer and the sexual activity was comparatively a very small part of the programme.

Explicitness

The Corporation conceded that the intercourse scene was "more explicit than might normally be accepted". This aspect of the series was doubtless reflected in the censor's "special category" certificate and the late evening placement in the schedule.

The Corporation, in their letter in reply to Mrs Morrison, summarised the series.

"'The Singing Detective' centered on P E Marlow, a writer of cheap stories. He had psoriasis, a disfiguring disease which had put him in hospital. To keep his sanity, and because he could not help it, he re-wrote in his imagination the plot of one of his novels. Elements from another story—his own childhood in fact—kept interposing."

One of the major elements was an incident from his childhood when he witnessed his mother, unbeknown to her, in a sexual encounter. Marlow's relationship, as a boy, with his mother, was central to this particular episode and in fact important throughout the series. It was clear that this particular incident

had a lasting effect on Marlow and contributed to his disgust with physicality. He spoke of disliking dirt and he crushed a ladybird in a fastidious manner after witnessing this scene. Seeing his mother behave in this way had clearly affected Marlow very deeply.

The programme did not present sexual activity as particularly desirable. Afterwards the woman was crying, the man was confused, the boy was traumatised. It was more of a morality tale, and did not condone marital infidelity. There was no feeling of exploitation of the woman as clearly the intercourse took place because both parties wished it. The woman's tears afterwards appeared to be the result of her realisation of the hopeless situation she was now in and what she had done to her relationship with her husband by deceiving him in this way.

The Tribunal consider the scene was not presented in a pornographic or titillating manner, but was a realistic presentation of what the child had seen which had a deep effect on him.

Mrs Morrison said the marital infidelity could have been suggested in much less explicit ways. That may be so but in the particular context of this programme it is the Tribunal's view that cutting these particular scenes would have distorted the programme. The sound effects of the sexual intercourse were tied in with the sounds Marlow could hear coming from the man in the next bed to him in the hospital who was dying. Oxygen was being given to him and the heavy panting noises made by that machine, behind the curtains drawn round the bed, were contrasted repeatedly with the breathing of the man and the woman. The common literary contrast of the "big death" and the "little death" was present and the dreadful effect on Marlow of the sounds made by his mother, which he had heard as a child, and their similarity with the sounds of death he was now hearing was made clear.

Decision

The Tribunal finds that the Corporation did not breach the requirements of section 24 (1) (c) as the scenes were not beyond reasonable standards of good taste and decency. The censor's "special category" certificate was observed and the scenes were not unacceptable in the particular programme at the time it was screened.

The complaint is not upheld.

Co-opted members

Mrs G. K. Drury and Dr Russell Campbell were co-opted as persons whose qualifications or experience were likely to be of assistance to the Tribunal in dealing with the complaint. They took part in the consideration of the complaint and the deliberations of the Tribunal, but the decision is that of the permanent members.

Dated this 13th day of July 1988.

Signed for the Tribunal:

A. E. WILSON, Member.

go11752

Decision No. 20/88

COM: 7/85

Before the Broadcasting Tribunal

In the matter of the Broadcasting Act 1976, and in the matter of a complaint by the Auckland Combined Unions Information Service:

Warrant Holder: The Broadcasting Corporation of New Zealand (Television One):

The Tribunal:

Chairman: B. H. Slane.

Member: Robert Boyd-Bell.

Co-opted Members: Brian W. Stephenson and Diane Billing

Hearing: Auckland, 7 December 1987.

Counsel: Mr Barry Hudson for the Broadcasting Corporation of New Zealand.

Appearance: Messrs Steven Bradley and Murray Gittos for the Auckland Combined Unions Information Service.

Witness: Mr R. C. Carlyon of Television New Zealand.

Decision

This complaint arose from a news item broadcast on Television One of the Broadcasting Corporation of New Zealand ("the Corporation") on 6 May 1985. The complainant was the Auckland Combined Unions Information Service, an unincorporated group which was sponsored by the Auckland Trades Council and the Combined State Unions ("the CSU"). The Auckland Trades Council was a part of the organisation of the Federation of Labour ("the FoL"). Messrs Steven Bradley and Murray Gittos presented the complaint on behalf of the complainant.

The programme

The news item, broadcast in the 6.30 p.m. bulletin, was a preview of the FoL annual conference due to start in Wellington the following day. It is necessary to describe it in some detail. A script of it is also appended to this decision, along with the complainant's criticisms of it. The lead-in to the item described the conference as one of the most crucial in many years. It referred to the FoL's "stormy" relationship with the Government and said that the FoL also had problems of its own.

In the item proper, the reporter predicted that this could be the last people would see of the FoL. He quoted unnamed "prominent unionists" as saying that the FoL had become largely irrelevant to the day-to-day life of unions. He said that two affiliates had "dropped out" the previous year and that the Engineers' Union was threatening to leave unless the FoL's performance improved.

The item next focused on the then FoL President, Jim Knox. It said that his poor public image and "shooting from the lip" style embarrassed unionists—particularly when a few weeks earlier he had advocated a general wage order which was not FoL policy. It said that he had kept a low profile since then, only to be "upstaged" by another unionist, Rob Campbell. It suggested that Mr Campbell had, in effect, become the voice of trade unionists, much to Mr Knox's annoyance.

The reporter went on to preview certain issues which would arise at the conference. He predicted that Rex Jones of the Engineers' Union, described as "a close colleague of Mr Campbell's", would be voted onto the executive and that he was "expected to tip the odds in favour of the so-called modernists". He ended by saying that the delegates' dilemma was how hard they could attack a government they helped to elect only ten months previously and whether, by playing things down, they would get "further offside" with the workers they represented.

The initial complaint

On behalf of the complainant, Mr Bradley wrote promptly to the Chairman of the Corporation, Heugh Rennie, on 8 May 1985. His objection in that letter was to a reference in the item to the then President of the FoL as "FoL boss, Jim Knox". In a compilation of earlier correspondence with Radio New Zealand and Television New Zealand on the same point, he quoted another letter to the News Editor of Radio New Zealand in Auckland, dated 3 December 1984, in which the complainant had submitted that there is an essential difference between a "boss" and a union official:

"A 'boss' pays people to work for him or her and tells them what duties to carry out and how to carry them out. An elected or appointed union official, on the other hand, carries out union policy as decided from time to time by the members and, if paid, is paid by the members. Use of

the word 'boss', as in 'union boss', when applied to union leaders, is a smear tactic and prejudicial to their personal and official reputations.

"The policy of this service in these instances is always to lay an official complaint so that we don't always find ourselves in a situation where the only person called 'boss' is a union leader and the only person never called 'boss' is the boss. When referring to Jim Knox specifically, perhaps you could instruct your sub-editor to use the word 'President' as he is officially President of the Federation of Labour."

The compilation of correspondence also included a response from the then Director-General of Television New Zealand, Allan Martin, to the same complaint:

"The Editor of News has now been able to look into the principle you raise. It is his opinion that use of the word 'boss' in the context originally complained of is not outside standard news practice of colloquial use of the English language where colloquial use is appropriate. The expressions 'boss', 'head', 'top man', 'chief' do appear in television voice commentary occasionally in relation not only to union leaders, but also in reference to sportsmen, businessmen, politicians etc. To that extent, he is *reluctant to dictate a policy* [Mr Martin's emphasis] to his editorial staff.

"However, it is accepted that any person has a right to indicate his dissatisfaction with a particular description, and to ask for a more formal identification. As Mr Knox apparently finds the term offensive, we have drawn your request to the attention of reporters and editors to consider when writing scripts."

This appears to have disposed of that point. The Corporation substantially accepted the complainant's position and it was not raised as a serious issue before the Tribunal.

Further complaint

On 17 June 1985, Mr Bradley again wrote to the Corporation, complaining across a broader front about the same item:

"It is our interpretation that the item was an amalgam of rumour, hearsay and exaggeration dressed up as news; if it was designed to be comment only, then we take grave exception to the comments and severely question the credentials of the commentator. Our detailed critique is enclosed.

"May we suggest that for the future, if television news intends to again preview the national conference of an organisation representing 152 unions with 450 000 affiliated members, concerned with a wide variety of economic, political and social issues, that only senior journalists with wide experience of unions be assigned to the task."

With the letter was a typed transcript of the item, with the complainant's critical comment in the right hand column, beside the appropriate part of the script. This is the document which is appended to the decision.

The Corporation's response

The Board of the Corporation considered the complaint on 31 July 1985. It declined to uphold it. Peter Mainwaring, the corporation's acting Secretary, conveyed this to the complainant in a letter dated 7 August 1985. He said, in part:

"The Board in considering the complaint noted that there had been a departure from normal procedures in that sources of information contained in the item were not stated, though it was acknowledged that, because of the wide range of sources, such attribution would make the item unduly long and unwieldy. However it was satisfied that all aspects covered in the item could be justified and supported and that the only prediction made—that relating to the election of the Federation of Labour

Executive—did in fact prove correct. It was also noted that, once the conference began, unionists and Federation officials had the opportunity to present their own views of events to balance out any viewpoint with which they may have wished to take issue."

Reference to the Tribunal

For the complainant, Mr Bradley referred the complaint to the Tribunal on 14 November 1985. The grounds stated for dissatisfaction with the Corporation's response were that the item was in breach of section 24 (1) (d) of the Broadcasting act 1976, which requires:

"The accurate and impartial gathering and presentation of news, according to recognised standards of objective journalism."

He said the item contained exaggerated language and biased, unattributed editorial interpretations well outside a reasonable interpretation of the section. He sought a hearing in Auckland.

The Corporation's submissions

Before the hearing Mr Mainwaring provided further arguments for the Corporation's position, in a letter to the Tribunal dated 21 January 1986. Noting that the key element of the complaint was the alleged insufficiency of attribution and an implication that this did not constitute accurate, impartial or objective journalism, Mr Mainwaring said,

"As a senior TVNZ specialist industrial roundsman of over two and a half years experience in this particular field, the reporter was well qualified to give an informed appraisal or perspective preview of the conference. In preparing the item he sought opinion from a wide range of trade unionists he had made previous contact with during his work as an industrial roundsman and who had confidence in his journalistic integrity. Since many of them were marshalling their tactics for the debate that usually takes place within such a conference, they were unwilling to show their hand by agreeing to attribution the day before a possible debate, discussion or vote."

Mr Mainwaring quoted an extract from the *Manual of Journalism* by the late John Hardingham, former editor of the *New Zealand Herald*:

"News does not have to be said. No-one should be better qualified than the trained reporter to search for the facts, not just from one quoted source but from many sources. Surely the reporter has the special skills to describe what he himself sees or finds out without having to attribute it as a matter of course to third persons."

Mr Mainwaring quoted the Corporation's policy as requiring that sources should normally be stated before information is given, so that the viewer understands that the viewpoint being expressed is not the Corporation's own. However, he said that the "House Rules" allow unattributed statements if they meet strict requirements:

"Unsourced material must meet the most stringent tests before it is put to air. It should first be approved by the controller who must be supplied with sufficient background information (including the authority and identity of sources) to make a judgment on whether it should be broadcast. When in doubt the Controller should refer the question to the Director-General.

"Criteria for publication of an unsourced story must be:

—That it has more than one reputable source and due allowance is made and safeguards taken where the social and political bias of informants may lead them to fall below broadcasting standards of accuracy and fairness in conveying information to the public; such sources must also possess sufficient knowledge and understanding of the subject to convey reliable information upon it.

—Single sources may be used only when senior specialist

reporters have developed sources who are in a position to know of developments at first hand, and who have proved to be consistently reliable and accurate in the past.

—Every effort must be made to obtain on-the-record confirmation of any story based on anonymous sources.

—Where the source is a document."

Mr Mainwaring conceded that the story could have contained more attribution than it did: It could have mentioned the Engineers' Union survey and might have included a statement that "a number of union officials, including two national secretaries, have told me that the FoL is becoming irrelevant to the day-to-day affairs of unions ... etc" While acknowledging this perceived shortfall, he did not consider that the item was sufficiently defective to be in breach of section 24 (1) (d).

In further support of one of the item's main propositions, Mr Mainwaring submitted a copy of an article written by M. D. J. Butler and described as being from a publication of the New Zealand Storemen and Packers' Union. The article was roundly critical of the FoL, referring to "crass threats of industrial reactions to a National win by FoL President Knox" having possibly "cost Labour six seats or more, from Awarua to Whangarei, where industrial sensitivities are high". The article went on to refer to the "increasingly tattered image of the FoL", saying its political and economic stance was "increasingly out of the mainstream of New Zealand thought and increasingly irrelevant to the aspirations and needs of union members".

The hearing

There were repeated difficulties in arranging a hearing to suit the complainant and to fit in with the Tribunal's intensive commitment to the television warrant application hearings over a lengthy period. A hearing was set down for 4 February 1987 but the complainant was not ready to proceed and sought a later fixture. Eventually it was set down for 7 December 1987.

Mr R. C. Carlyon, acting Controller of News for Television New Zealand, gave evidence for the Corporation. The reporter was not available as he had left the Corporation to work in Australia. Mr Carlyon said that he had discussed the item with the reporter, who had taken meticulous notes of what various sources had said to him. The reporter wrote a memo to his editor about the item on 2 July 1985. The Corporation made this available. It provided a great deal of relevant and useful information. We have not reproduced it in full but have paraphrased parts of it in detailing the complainant's criticisms below:

1. The complainant argued that there was no evidence for an alleged "stormy relationship" between the FoL and the Government.

The reporter said there was "any amount of evidence" for this proposition, climaxing in a joint FoL/CSU statement earlier in 1985 that the relationship was "at crisis point".

2. The statement that "prominent unionists say the FoL has become largely irrelevant in the day-to-day life of unions" was criticised by the complainant as hearsay, lacking supporting evidence. The complainant argued that "either the source should be named or some credible commentator [should] make the assessment".

The reporter responded that at least two national union secretaries, one on the FoL's national executive, and "sundry other union officials" had expressed such views to him personally. Non-affiliated unions had been more public in their criticism. He also quoted a NZ Engineering Workers' Union survey as finding that 70% of its members knew "very little" or "nothing at all" about the FoL's workings.

3. The complainant objected to the statement that the Engineers' Union was threatening to leave unless the FoL's performance improved.

The reporter said he interpreted decisions of the NZ

Engineering Workers' Union's 1984 biennial conference as a threat to leave the FoL. He said the Union's conference had decided to survey member attitudes towards the leadership policies and future direction of the FoL; that delegates had wanted to ensure that the FoL be "given an opportunity to develop new policies and direction" and that they wanted the union's "continued affiliation" to be reviewed again in 1986. He also quoted the survey referred to as showing 34% of members in favour of affiliation, 34% against and 30% "didn't know".

4. The complainant took exception to the reporter's comment that the proposed Council of Trade Unions, as the logical replacement for the FoL, "would save the FoL from self destruction". It submitted that there was no evidence of "self destruction" and added, "This is more than just a severe exaggeration of a real situation; it is not news, merely projected fantasy".

The reporter replied that in 1984 six FoL affiliates, representing almost 20% of its membership, debated whether to leave the FoL. He said that two of them left, three were still considering their position and one stayed in. He also said that a prominent unionist had forecast to him that the 1985 FoL conference would not be well attended and that this was borne out; delegate attendance was the worst in 5 years.

5. The complainant objected to the reference to Mr Knox's "poor public image", saying that many unionists admired Mr Knox.

The reporter replied that "any number of unionists and non-unionists" had personally told him that Mr Knox came across badly and was an embarrassment at times. He also drew support for his conclusion by putting together two responses to the N.Z. Engineering Workers' Union survey. He said: "Few surveyed knew anything of the FoL's workings and Jim Knox was, for all intents and purposes, the FoL. The same survey felt that the FoL's public image needed improving".

6. The item said that Mr Knox's call for a general wage order was an embarrassment to unionists, as it was against FoL policy at the time. The complainant said that Mr Knox's advocacy of a general wage order "meshed exactly" with FoL calls for a general wage increase.

The reporter said his understanding was that the FoL had dropped its 1984 claim sometime around October [that year], when it accepted the Government's proposal for wage bargaining. He said that Mr Knox's renewed call for a general wage order caught observers and the FoL Executive by surprise; that at least one Executive member had complained that a general wage order was not FoL policy; that the Minister of Labour, in response to a question from the reporter, was equally mystified and wondered whether the FoL now favoured a return to regulated, rather than negotiated wage increases.

7. The statement in the item that "Mr Knox has kept a low profile since then... only to be upstaged by Mr Rob Campbell," was also criticised. The complainant asked whether the media were promoting Mr Campbell "and then accepting their own promotion as having some non-media reality".

The reporter responded that Mr Knox had made himself unavailable for interviews for a number of weeks. He said that most journalists, excluding himself, had obtained "substitute" interviews with Mr Campbell, who then had his own newspaper column. The reporter said that Mr Knox expressed annoyance to him about Mr Campbell's public comments which he felt appeared to represent the FoL.

8. The item said that women delegates would probably aid the [so-called modernists'] cause by "continuing last year's attack on the FoL's white, middle-aged, hairy arm image". The complainant quoted Auckland Working Women's Resource Centre associates and conference delegates in both

years as rejecting this comment as "historically inaccurate and misleading".

In reply, the reporter said the 1984 FoL conference had spent some time debating the FoL's public image and ways to improve it. He said this debate was led by women members of the Clerical Workers' Association.

9. The item ended with the reporter's comment that the dilemma facing delegates to the FoL conference was "just how hard they can attack a government they helped to elect only ten months ago... and whether by playing things down they get further offside with the workers they represent". The complainant took exception to the word "further", saying it assumed that delegates could be off-side with union members who had just recently elected them.

The reporter said the N.Z. Engineering Workers' Union survey of its members tended to support his comment, in that 34% of its members favoured leaving the FoL.

Mr Hudson produced copies of several newspaper articles on the relationship between the FoL and other unions and between the FoL and the Government. Some of these quoted some union officials as critical of the FoL and of Mr Knox's style.

In summarising the complaint, Mr Bradley submitted, among other things, that:

1. The item was effectively disguised comment, rather than news.

2. It exaggerated the internal conflicts within the FoL to the extent of neglecting most of the actual business of the conference. In saying this, the complainant accepted that there was not a total absence of evidence of FoL disunity.

3. There was no evidence that the unsourced material relied on for the item existed or, if it did, whether it had been correctly understood, assessed and interpreted.

4. When backgrounding events, the technique used for parliamentary reporters should be adopted: The industrial reporter should be interviewed by a presenter, in order that the viewer can identify the reporter's contribution as comment.

5. The Corporation had not entirely followed its own rules for unsourced comment.

6. Officials from unions not affiliated with the FoL would not have been reputable authorities on the views and feelings of affiliated unions.

7. Two of the six unions mentioned in the reporter's memo had left before the 1985 FoL conference and therefore should be disregarded. Of the other four, only one actually left subsequently. Another, the Engineers' Union, developed "an ambivalent attitude".

There were other submissions but we do not deal with all of them, as some do not add much to the consideration of the complaint and others are not relevant to an alleged breach of section 24 (1) (d).

Decision

At this point the Tribunal pauses to make clear that it is not required to and does not make any finding of fact as to whether the comments about the image of the FoL were true. The Tribunal has to decide whether the reporter was justified in his view that critical comments were *being made* by some unionists. We are satisfied that there was evidence on which he could base that conclusion.

The second point is whether, given that such comments were being made, the reporter put such disproportionate weight on them that the report was not "accurate and impartial, ... according to recognised standards of objective journalism". We do not think his interpretation of the comments fell outside the range of views which could reasonably be held by a well informed specialist reporter working within the scope of that speciality. In the interpretation of such comments by unionists, different reporters would differ to some extent in the

importance they would attach to them, particularly in relation to the conference which was just about to begin. The Tribunal does not agree with the complainant that the disaffiliation of two unions could be disregarded merely because it had occurred before the conference. Those events were significant and would have been relatively fresh in people's minds. Significant also were the results of the survey by the NZ Engineering Workers' Union and the debate at its biennial conference. Because of its sheer size, with 51 446 members, any change in its attitude towards the FoL would have been highly important.

The complainant's allegation that the "actual business of the conference" was neglected and that "the internal conflict theme blinded the reporter to the wide range of issues that actually became the business of the 1985 conference" was not supported by any evidence put before the Tribunal.

In any event, the complaint was only about the preview item and not about any reports on the business of the conference on subsequent days. That claim is therefore tangential to the complaint.

While not upholding the complaint, the Tribunal acknowledges merit in the complainant's submission that specialist reporters, when backgrounding a situation, could be interviewed by a presenter. This is one technique that would allow the specialist reporter to express an opinion based on special knowledge and, if necessary, unsourced comment on the interpretation of events. At the same time, the viewer would be left in no doubt that an opinion was being presented. However the Tribunal does not consider that this is the only circumstance under which a specialist reporter can exercise judgment in interpreting events within the specialist's field.

The essential requirement is that, in the presentation of mixed fact and opinion, the viewer must be left in no doubt which is which.

There was a statement in the item that the Council of Trade Unions would "save the FoL from self-destruction." The Tribunal was not presented with evidence that the FoL was anywhere near self-destruction, other than as part of the transition to the Council of Trade Unions. While this was a flaw in the item, it still does not amount in our view to a breach of section 24 (1) (d).

The complaint is not upheld.

Co-opted members

The Tribunal co-opted Brian Stephenson and Diane Billing as persons whose qualifications or experience were likely to be of assistance in dealing with the complaint. They took part in the deliberations of the Tribunal but the decision is that of the permanent members.

Dated this 31st day of May 1988.

Signed for the Tribunal

ROBERT BOYD-BELL, Member.
go11753

Decision No. 22/88

Before the Broadcasting Tribunal

In the matter of the Broadcasting Act 1976, and in the matter of a complaint by **Harold Earl Jensen** of Wellington:

Warrant Holder: The Broadcasting Corporation of New Zealand (all television and radio services):

The Tribunal:

Chairman: B. H. Slane.

Members: A. E. Wilson and R. Boyd-Bell.

Co-opted Members: M. J. Sheehan and B. W. Stephenson.

Decision

The Complaint:

Mr Jensen wrote to the Secretary of the Broadcasting Corporation on 13 February 1987 complaining that:

"The racial stance adopted by BCNZ news in reporting the recent Maori Loan debate was totally devoid of open European viewpoint outside the odd politician".

"The overall input throughout has been a supportive Maori element. European's (New Zealanders) views and feelings have been censored throughout the entire scandal."

He said that he had written to the Chairman of the BCNZ in January and sent a telegram in February seeking "to have media censorship lifted and open overall comment".

He added that "New Zealanders (Europeans) as a whole have rights and feelings over this issue, more so when one considers the costs involved in an issue of this nature, and above all those who would have to meet the costs".

He went on to say that "The Europeans would have had to face this whole fiasco and its astronomical costs. Why are New Zealanders (Europeans) deprived of their rights to make comments over the BCNZ media?"

On 3 April 1987 he complained that the acknowledgement of his formal complaint advised that it would not be dealt with until a Corporation Board meeting on April 29 and went on to complain that it was not reasonable for the BCNZ complaints committee to review the issue after such a time lapse.

The Corporation Response:

On 11 May 1987 the acting Secretary of the Corporation informed Mr Jensen that his complaint had not been upheld. It had been examined under the provision of Television Programme Rule 1.1 (g) which requires broadcasters, in their preparation and presentation of programmes, to show balance, impartiality and fairness in dealing with political matters, current affairs, and all questions of a controversial nature.

The Corporation letter said that during December 1986 and January 1987 the story was extensively covered on radio and television networks and an analysis of the people who were interviewed found the allegation of bias was insupportable in fact. Although it was true that the principal characters in the story were New Zealand Maori, resulting in a greater than usual focus on Maori newsmakers, the viewpoints of Europeans were canvassed and broadcast where relevant.

The Corporation said that representatives from both political positions, including Maori and European speakers, were interviewed on the issue. The Prime Minister and Leader of the Opposition were both reported in addition to Ministers and officials. Other non-Maori persons interviewed included representatives of the Development Finance Corporation, Arthur Young Chartered Accountants, The Treasury, the Public Service Association, the State Services Commission, Professor John Roberts and the Auditor-General, all of whom were chosen because of their knowledge of the situation or their involvement with organisations likely to be affected. The Corporation said this occurred during the period of current interest.

Mr Jensen was dissatisfied with the decision not to uphold his complaint and told the Corporation that his complaint did not insinuate bias. He concluded that the Corporation did not take into account the "grass roots European lay person's concerns".

He asked for a review of the complaint.

Reference to the Tribunal:

On 11 June 1987 Mr Jensen referred the complaint to the Tribunal. At this stage he changed and extended his complaint to mean that he wanted lay persons' viewpoints reported.

He claimed that the BCNZ exercise was Maori oriented and all

members of New Zealand society, cultures and the like had some input to offer.

He further claimed that his complaint was being discreetly put aside for a period sufficiently long for the matter to be beyond recollection or record.

He made extensive allegations of bad faith and intent by persons within the Corporation, who were allegedly using subtle means to tilt the news to their own advantage.

"The news item under study (viz, the Maori Loan debacle) was a perfect example where the Maori viewpoint took precedence, irrespective of any normal New Zealand layperson. There was internal monitoring and manipulation involving this entire issue", he said.

The Corporation Submission:

The Corporation filed submissions with the Tribunal on 4 November 1987, regretting the delay in response and pointing out that Mr Jensen's complaint did not identify any particular radio or television programme nor any specific section of the Act or Programme Rules which he considered may have been breached.

The Secretary of the Corporation said it had determined to consider the complaint under the Television and Radio Rules 1.1 (g) which require broadcasters "to show balance, impartiality and fairness in dealing with political matters, current affairs, and all questions of a controversial nature".

The Corporation said the allegations of racial bias made by Mr Jensen were totally without substance, irrationally conceived and offensive. Nevertheless they received impartial consideration and temperate reply.

The Corporation also said the generalised nature of the complaint had contributed to delays by requiring considerable investigation. The submission included a list of people who had appeared on television in connection with the coverage and included a number of "Europeans". A similar range of views was heard on radio and the subject was open to discussion in talkback programmes.

The Corporation summarised its position thus:

"The loan question was principally a matter of government administration, and those concerned or who had authoritative comments were heard, Maori or Pakeha."

The Complainant's Response:

Mr Jensen responded to the Corporation's submissions by describing them as "trivia and postulations" and disputed the accuracy of the list of people who had appeared on television.

Mr Jensen described lay-persons as "clearly indigenous, down-to-earth New Zealanders" and asked "Is BCNZ so overawed at their Maori direction they have lost sight of a simple terminology of this nature?"

Decision:

Mr Jensen has been informed previously of the difficulties which both broadcasters and the Tribunal face in attempting to consider broad generalised assertions regarding programmes broadcast on radio and television over a period of many months.

It is virtually impossible for any review body to accept such generalised comments and adjudicate upon them on the basis of sweeping assertions and broad allegations of bias and bad faith unsupported by detail. Simply assembling the evidence from all the news and current affairs programmes broadcast on the Corporation's radio and television stations over the period of several months in question would prove a massive exercise.

Mr Jensen's allegations would not have justified such an approach.

Further, the Corporation satisfied the Tribunal in both its original response to Mr Jensen and subsequent submissions that a range of views had been broadcast in connection with

this issue. (The list of speakers from the Corporation's submission is appended to this decision).

The Tribunal accepts the Corporation's contention that the nub of the issue was one of administrative and financial management with political overtones.

While all New Zealanders were entitled to have opinions on the issue, the "players in the game" were essentially those involved in the management and politics of this issue. We found the coverage details supplied to us reflected that range of views. This was not essentially a story about racial matters and coverage reflected that situation.

As for Mr Jensen's allegations of racial bias and bad faith with the Corporation, the Tribunal finds them to be without substance.

The Tribunal noted the Corporation's comment that Mr Jensen changed his complaint from requiring comment from "New Zealanders (Europeans)" to one of requiring comment from "lay persons" after he saw the list of non-Maori participants in television coverage of the issue.

The Tribunal finds that Mr Jensen has failed to identify any particular radio or television programmes in which the Act or Programme Rules were breached. He has also failed to establish grounds for his complaint that comment ought to have been selected from lay persons on a racial (European) basis.

The complaint is not upheld.

Co-opted Members:

Messrs Sheehan and Stephenson were co-opted as persons whose qualifications and experience were likely to be of assistance to the Tribunal in determining the complaint. They took part in the deliberations of the Tribunal but the decision is that of the permanent members.

Dated this 20th day of July 1988.

Signed for the Tribunal:

R. BOYD-BELL, Member.
go11754

2

Coroners Act 1951

Appointment of Coroner

Pursuant to section 2 of the Coroners Act 1951, His Excellency the Administrator of the Government has been pleased to appoint:

Allan John Hall, barrister and solicitor of Gisborne to be a coroner for New Zealand.

Dated at Wellington this 4th day of October 1988.

PHILIP WOOLLASTON, for Minister of Justice:

(ADM. 3/13/4/20)
go11748

1

Criminal Justice Act 1985

Confiscation of Motor Vehicle

Pursuant to section 86 (2) of the Criminal Justice Act 1985, an order was made in the High Court at Christchurch on Thursday, 22 September 1988 against Warren Leonard Garthwaite for the confiscation of the following motor vehicle:

Mitsubishi Galant 1.6 Registered No. JN9612.

P. R. FANTHAM, Registrar.
go11678

1

Confiscation of Motor Vehicle

On 26 September 1988, His Honour Judge Unwin, sitting at the District Court Wanganui, made an order pursuant to section 84 (6) of the Criminal Justice Act confiscating a Honda

motorcycle, registration No. 76 DAO, owned by David Paul O'Connor.

G. McMEEKEN, Deputy Registrar.
go11647

Marriage Act 1955

Marriage (Approval of Organisations) Notice No. 27

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. 27.
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

The Church in Richmond.

Dated at Lower Hutt this 12th day of October 1988.

B. E. CLARKE, Registrar-General.
go11643

Marriage (Approval of Organisations) Notice No. 28

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. 28.
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

Runanga Christian Fellowship.

Dated at Lower Hutt this 12th day of October 1988.

B. E. CLARKE, Registrar-General.
go11644

Sale of Liquor Act 1962 Sale of Liquor Amendment Act 1976

Notice of Intention to Vary Hours of Sale of Liquor at Licensed Premises—Canterbury 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 Canterbury Licensing Committee on 4 October 1988 made an order authorising variations of the usual hours of trading for the licensed premises known as the Parkroyal Christchurch Hotel, corner Kilmore and Durham Streets, Christchurch.

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:

- (a) *On any Friday and Saturday:* Closing at 11 o'clock in the evening.
- (b) *On any New Year's Eve:* Closing at 00.30 o'clock in the morning of New Year's Day.
- (c) *On any Christmas Eve:* Closing at 11 o'clock in the evening.

The foregoing extension of closing hours applies to the following bars or lounges within the Parkroyal Christchurch Hotel:

1. The Atrium Lounge.
2. Rumpoles Bar.
3. The First Edition Bar.

Dated at Wellington this 18th day of October 1988.

D. OUGHTON, Secretary for Justice.

(ADM. 2/72/5)
go11747

Labour

Labour Relations Act 1987

Proposed Cancellation of Registration of Defunct Employers Organisation

Pursuant to section 33 (2) of the Labour Relations Act 1987, it is hereby notified that the registration of the Poverty Bay Master Butchers Industrial Union of Employers, registered No. 838 situated at 203 Gladstone Road, Gisborne, will, unless cause to the contrary is shown, be cancelled on the expiration of 30 days from the date of the publication of this notice in the *Gazette*.

Dated at Wellington this 12th day of October 1988.

C. D. FULLER, Registrar of Unions, Department of Labour.
go11484

Maori Affairs

Maori Community Development Act 1962

Appointment of Honorary Community Officer Under the Maori Community Development Act 1962

Pursuant to section 5(1) of the Maori Community Development Act 1962, the Minister of Maori Affairs hereby appoints the person named in the Schedule hereto to serve as an Honorary Community Officer for a term not exceeding three years in the area shown in the second column of the Schedule.

Schedule

Name	Area
Barbarich, Maurice Daniel	Tauranga.

Dated this 3rd day of October 1988.

K. T. WETERE, Minister of Maori Affairs.
go11749

Maori Trustee Act 1953

Corrigendum

Unclaimed Moneys

Notice under section 30 of the Maori Trustee Act 1953: Amendment to notice published 22 September 1988, No. 161, page 3790:

"1986" should be amended to read "1988".

(M.A. 39/2 National List No. 35)
go11743

Tourist and Publicity

New Zealand Maori Arts and Crafts Institute Act 1963

Appointment of Members to the New Zealand Maori Arts and Crafts Institute

Pursuant to the New Zealand Maori Arts and Crafts Institute Act 1963, as amended, His Excellency the Governor-General has been pleased to appoint

Maria Te Aranga Tini of Whakarewarewa, Rotorua

to be a member of the New Zealand Maori Arts and Crafts Institute for a period of 3 years expiring on the 31st day of August 1991.

Dated at Wellington this 12th day of October 1988.

JONATHAN HUNT, Minister of Tourism. 6
go11677

Transport

Harbours Act 1950

Sale of Taranaki Harbours Board Land

I, William Patrick Jeffries, Minister of Transport, having obtained the concurrence of the Minister of Finance pursuant to section 143A (3) of the Harbours Act 1950, hereby approve pursuant to section 143A (1) (a) and section 143C (1) (b) (i) of the Act, the sale of land described in the Schedule below by the Taranaki Harbours Board, and I specify that my approval is effective from the date of this notice.

Schedule

All that parcel of land containing 2265 square metres (2265 m²), more or less, situated in the City of New Plymouth, being Lots 1, 2 and 3 on Deposited Plan 15426, and being part of the land comprised and described in certificate of title, Volume A2, folio 965 (Taranaki Registry).

Dated at Wellington this 6th day of October 1988.

W. P. JEFFRIES, Minister of Transport.

(M.O.T. 43/12/6) 1
go11744

Traffic Regulations 1976

Approval of Motorcycle Safety Helmets in Terms of the Traffic Regulations 1976

Pursuant to subclause (1) of regulation 88 of the Traffic Regulations 1976, and pursuant to powers delegated to me by the Secretary for Transport by an instrument of delegation dated the 2nd day of November 1987, motorcycle safety helmets of the make and type described in the Schedule hereto are hereby approved for the purposes of regulation 31 of the said regulations.

Schedule

Safety helmets manufactured by FIMEZ S.p.A., Italy, complying with ECE Regulation 22.02 and marked accordingly and bearing the model designations "FORCE ONE" and "RACE-R".

Dated at Wellington this 12th day of October 1988.

R. L. REYNOLDS, Senior Automotive Engineer.

(M.O.T. 17/6/1) 1
go11745

Transport Act 1962

Transport Licensing Authority Sittings

Pursuant to the Transport Act 1962, the No. 3 Transport District 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.

Central Waikato Electric Power Board, Anglesea Street, Hamilton on Tuesday, 8 November 1988 at 9.30 a.m.

a03/88/03230 Runolph Waretini, Te Aroha. A new Taxicab Service licence with two Public Hire Cab Authorities to operate as follows: Te Aroha.

a03/88/03172 William Heperi, Hamilton. Transfer Taxicab Service licence No. 99237 from: Marina Tahi Hohaia, Hamilton with one Public Hire Cab Authority to operate as follows: Hamilton City and Airport.

Dated at Auckland this 14th day of October 1988.

J. H. McCARTHY, Secretary.

Transport Licensing Authority. 1
go11659

Transport Licensing Authority Sittings

Pursuant to the Transport Act 1962, the No. 1 Transport District 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.

District Court, Elizabeth Street, Warkworth on Monday, 7 November, 1988 at 11 a.m.

a01/88/02599 Semenoff Sand Supplies (Transport) Ltd., Whangarei. A new Goods Service licence.

a01/88/01944 Raymond Bartrum Davis, Whangaparaoa. A new Goods Service licence.

a01/88/02976 Leslie George Graham, Whangarei. A new Goods Service licence.

Dated at Auckland this 14th day of October 1988.

J. H. McCARTHY, Secretary.

Transport Licensing Authority. 1
go11658

The Traffic (Pahiatua Borough and Pahiatua County) 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 (Pahiatua Borough and Pahiatua County) Notice No. 1, 1988.

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

The road specified in the Second Schedule is declared to be a 70 kilometres an hour speed limit area pursuant to regulation 21 (2) of the Traffic Regulations 1976.

The warrant under section 36 of the Transport Act 1949 and the Traffic Regulations 1956, which declares a limited speed

zone within Pahiatua Borough and Pahiatua County, dated 5 December 1957* is revoked.

First Schedule

Situated within Pahiatua Borough:

No. 2 State Highway (Pokeno - Wellington via Gisborne): from a point 60 metres measured south-westerly, generally, along the said State highway from King Street to the southern boundary of Pahiatua Borough.

Second Schedule

Situated within Pahiatua Borough and Pahiatua County:

No. 2 State Highway (Pokeno - Wellington via Gisborne): from a point 60 metres measured south-westerly, generally, along the said State highway from King Street to a point 280 metres measured south-westerly, generally, along the said State highway from Halls Road.

Signed at Wellington this 14th day of October 1988.

C. M. CLISSOLD, Chief Traffic Engineer.

*New Zealand Gazette, No. 91, dated 12 December 1957, page 2300.

(M.O.T. 29/2/Pahiatua County) 1
go11742

Transport Licensing Authority Sitings

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 places, times and dates stated to hear evidence or representations, whether submitted in writing or presented in person, for or against granting them.

Conference Room, First Floor, Monroe Building, Bridge Street, Nelson on Monday, 7 November 1988 at 10 a.m.

A08/88/03284 Deborah Mary Forster and Kevin William Guthrie, Nelson: Transfer Taxicab Service Licence No. 91541 from Harold Frederick James Churton and Noleen Mavis Churton, Richmond. With one Private Hire Cab Authority to operate as follows, Richmond.

A08/88/03283 Deborah Mary Forster and Kevin William Guthrie, Nelson: Transfer Taxicab Service Licence No. 91516 from Harold Frederick James Churton and Noleen Mavis Churton, Richmond. With one Public Hire Cab Authority to operate as follows: The right to pick up passengers for Richmond at Nelson Airport, Waimea County including local body areas within but excluding the City of Nelson.

A08/88/03282 Deborah Mary Forster and Kevin William Guthrie, Nelson: Transfer Taxicab Service Licence No. 91517 from Harold Frederick James Churton and Noleen Mavis Churton, Richmond. With one Public Hire Cab Authority to operate as follows: The right to pick up passengers for Richmond at Nelson Airport, Waimea County including local body areas within but excluding the City of Nelson.

A08/88/03220 Donald Anderson Angus, Nelson: A new Taxicab Service Licence with one Public Hire Cab Authority to operate as follows: Public hire exclusively for total mobility van, area within which contract of carriage may be initiated, Nelson City, Waimea County and the Richmond Borough.

A08/88/03285 Richard Woodhouse Shelf Company No. 3 Ltd. Tahunanui, Nelson: A new Passenger Service Licence with the special condition to authorise the operation of a scheduled timetable service as follows:

(a) Between Nelson Airport and Nelson City.

(b) Provision made for connecting services to the satellite motor camps in the Nelson area. Details of proposed service routes and timetables may be inspected at the Ministry of Transport, Bridge Street, Nelson and at the Ministry of Transport, Pearse House, Wellington.

A08/88/03302 Neil Laurence Payne, Nelson: Transfer Taxicab Service Licence No. 16147 from Jillian Francis Terry, Nelson. One Public Hire Cab Authority to operate as follows: City of Nelson and Waimea County.

Dated at Wellington this 18th day of October 1988.

J. MOIR, Secretary.

No. 8 Transport District Licensing Authority. 1
go11741

The Traffic (Hurunui County) 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 (Hurunui County) Notice No. 1, 1988.

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

The Traffic (Hurunui County) Notice No. 2, 1982, dated on the 14th day of May 1982*, issued pursuant to section 52 of the Transport Act 1962, and regulation 21 (2) of the Traffic Regulations 1976 is revoked.

Schedule

Situated within Hurunui County at Waipara:

Anzac Street.

Glenmark Street.

Johnston Street.

Main North Road: from a point 50 metres measured north-easterly, generally, along Main North Road from Johnston Street to a point 700 metres measured south-westerly, generally, along Main North Road from MacKenzies Road.

Townend Street.

Situated within Hurunui County at Amberley Beach.

Amberley Beach Road: from a point 150 metres measured north-westerly, generally, along Amberley Beach Road from Grierson Avenue to the south-eastern end of Amberley Beach Road.

Chamberlain Avenue.

Grierson Avenue.

Holton Road.

Lavery Drive.

Seaward Drive.

South Crescent.

Signed at Wellington this 14th day of October 1988.

C. M. CLISSOLD, Chief Traffic Engineer.

*New Zealand Gazette, No. 54, dated 20 May 1982, page 1633.

(M.O.T. 29/2/Hurunui County) 1
go11746

Authorities and Other Agencies of State

New Zealand Stock Exchange

Sharebrokers Amendment Act 1981

Sharebrokers Amendment Act 1981

Pursuant to section 8 of the above Act, we wish to advise that the Bylaws of the Christchurch-Invercargill Regional Stock Exchange have been amended as follows:

Bylaw 15.02—delete and substitute the following:

“The quorum for an official trading meeting hereinafter referred to as a “call”, shall be one representative or operator from each of two member firms. Such an operator may be either a member or his authorised clerk”.

This amendment was approved by the Executive at its meeting on 30 August 1988.

R. B. W. GILL, Executive Director. 1
au11679

PostBank

Post Office Savings Bank Regulations 1985

Bonus Bonds Weekly Prize Draw No. 3, October 1988

Pursuant to the Post Office Savings Bank Regulations 1985, notice is hereby given that the result of the weekly Prize Draw No. 3 for 15 October is as follows:

One prize of \$50,000: 8596 275543.

Fourteen prizes of \$5,000: 413 922874, 717 545886, 1076 718341, 1097 766364, 1114 452788, 1172 368735, 1998 524681, 3796 444283, 4592 402410, 4695 787994, 4991 134249, 7092 004313, 7498 378622 and 8482 971920.

ROGER DOUGLAS, Minister of Finance.
au11509

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 and the Minister of Forestry, being the Ministers deemed responsible for the department of State that has control of the land described in the Schedule hereto, jointly declare that the land is held for conservation purposes and it shall hereafter be so held.

Schedule

Otago Land District—Lake County

1.6760 hectares, more or less, being Section 1, S.O. 20337, situated in Block XX, Shotover Survey District. All *New Zealand Gazette* 1983, page 271.

Dated at Wellington this 9th day of September 1988.

HELEN CLARK, Minister of Conservation.

PETER TAPSELL, Minister of Forestry.

(C.O. LAN 0016; R.O. Bui 012) 3

ln11739

Declaring Land Held for Conservation Purposes

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

Schedule

Gisborne Land District—Opotiki County

4046 square metres, more or less, being Section 13, Block XIV, Waiaua Survey District. All *Gazette* notice 162112.1, S.O. Plan 7821.

South Auckland Land District—Piako County

9000 square metres, more or less, being Section 21, Block X, Wairere Survey District. Crown land, *New Zealand Gazette*, 1976, page 1687.

Dated at Wellington this 10th day of October 1988.

HELEN CLARK, Minister of Conservation.

(Refs. C.O. LAN 0016, R.O. LDA 041) 3

ln11649

Reserves Act 1977

Revocation of the Reservation Over a Reserve

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Director of Lands and Fauna of the Department of Conservation hereby revokes the reservation over the land reserved as a Post Office site, described in the Schedule hereto.

Schedule

North Auckland Land District—Waitemata City

1075 square metres, more or less, being Lot 7, D.P. 16383, situated in Block XIII, Waitemata Survey District.

Dated at Wellington this 10th day of October 1988.

J. S. HOLLOWAY, Director of Lands and Fauna Directorate of the Department of Conservation, Wellington.

(Cons. C.O. Res 2/2/276; R.O. 8/5/199) 2/1

ln11482

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 Regional Manager for the Waikato Region hereby authorises the exchange of that part of the Paiaka Recreation Reserve described in the First Schedule hereto, for the land described in the Second Schedule hereto.

First Schedule**South Auckland Land District—Raglan County**

6.9170 hectares, more or less, being Section I, S.O. 57276, situated in N.Z.M.S. 261 S14 Sheet 1.2. Part *New Zealand Gazette*, 1905, page 1925.

Second Schedule**South Auckland Land District—Raglan County**

2.3700 hectares, more or less, being Lot I L.T.S. 49242, situated in N.Z.M.S. 261 S14 Sheet 1.2. Part certificate of title, 734/295.

Dated at Hamilton this 20th day of September 1988.

W. SANDER, Regional Manager, Waikato Region.

(D.O.C. Ref: D.O. RR 2302)

ln11483

2/1

Corrigendum**Revocation of the Reservation Over a Reserve**

In the notice with the above heading published in the *New Zealand Gazette*, 22 September 1988, No. 161, page 3794; in the second line of the Schedule for "D.O. 959" read as "D.P. 959".

(D.O.C. C.O. Res. 10/2/26; R.O. 2/2/3/2)

ln11668

1

Authorisation of the Exchange of Reserve for Other Land

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Director of Lands and Fauna 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—Waimairi District**

1.7831 hectares, more or less, being Lot 122, D.P. 7061 (formerly Reserve 4118), situated in Block XVI, Rangiora Survey District. Part certificate of title 336/344.

2.5596 hectares, more or less, being Lot 129, D.P. 6164, situated in Block IV, Christchurch Survey District. All *Gazette* notice K 729838 (*New Zealand Gazette* 1967, page 2287).

2141 square metres, more or less, being Lots 2 and 16, D.P. 8475, situated in Block XVI, Rangiora Survey District. Parts certificate of title 336/344.

5055 square metres, more or less, being Lots 135–139, D.P. 6164, situated in Block IV, Christchurch Survey District. Parts certificate of title 333/70.

Second Schedule**Canterbury Land District—Waimairi District**

12.5000 hectares, more or less, being Lot 1, D.P. 44685 (formerly part Lot 2, D.P. 11734), situated in Block XVI, Rangiora Survey District, and Block IV, Christchurch Survey District. Part certificate of title 12K/388.

5.4076 hectares, more or less, being Lot 2, D.P. 27026, situated in Block XVI, Rangiora Survey District. All certificate of title 9B/790.

Dated at Wellington this 13th day of October 1988.

J. S. HOLLOWAY,

Director of Lands and Fauna, Department of Conservation.

(D.O.C. C.O. Res. 11/2/173; R.O. 1/20/7/1; D.O. 3/225/8, N1/411/9)

ln11740

2

Internal Affairs**Local Government Act 1974****Onehunga Borough Boundary Alteration Notice**

Pursuant to section 50 (2) (b) of the Local Government Act 1974, the Minister of Local Government gives the following notice:

Notice

1. This notice may be cited as the Onehunga Borough Boundary Alteration Notice 1988.

2. This notice shall come into force on the day after the day of its publication in the *Gazette*.

3. The boundaries of Onehunga Borough are hereby altered by including within the said borough the areas of land described in the Schedule hereto, being land reclaimed from the sea.

Schedule

6.9700 hectares, more or less, being part Allotment 27, Section 30, Village of Onehunga, Lot 1, D.P. 90709, Lot 2, D.P. 90709, part Lot 2, D.P. 78168, part Lot 2, D.P. 78168, part Lot 2, D.P. 78168, part Lot 9, D.P. 79261, part Mangere Bridge and part legal road, all situated in Block V, Otahuhu Survey District. Part certificate of title 52B/763, all certificate of title 47D/1056, all certificate of title 47D/1057, all *Gazette* notice B. 912488.3 (*New Zealand Gazette*, 1987, page 2647), part *Gazette* notice B. 282188.2 (*New Zealand Gazette*, 1984, page 1084), part certificate of title 36B/815, part certificate of title 36A/743, part legal road, and all *Gazette* notice B. 282188.1 (*New Zealand Gazette*, 1984, page 1084). Shown marked "A" on S.O. Plan 62143.

19.8800 hectares, more or less, being part Tidal Lands Manukau Harbour (Motorway), part Tidal Lands Manukau Harbour, part Section 1, S.O. 61723, part Allotment 11, Section 20, Village of Onehunga, situated in Blocks I and V, Otahuhu Survey District. All *Gazette* notice B. 127914.1 (*New Zealand Gazette*, 1982, page 3462), part certificate of title 9B/1172 (limited as to parcels), part *Gazette* notice A. 472015 (*New Zealand Gazette*, 1970, page 882), and part certificate of title 646/126. Shown marked "A" on S.O. Plan 62144.

Signed at Wellington this 11th day of October 1988.

MICHAEL BASSETT, Minister of Local Government.

(103/5/278)

ln11642

Lands**Local Government Act 1974****Transfer of Unformed Legal Road in Block VIII, Woodland Survey District, Clutha County**

Pursuant to section 323 of the Local Government Act 1974, and to a delegation from the Minister of Lands, the Acting Director-General of Lands hereby declares that the land, described in the Schedule hereto, has been transferred to the Crown by The Clutha 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**Otago Land District—Clutha County**

2.2 hectares, more or less, being unformed legal road adjoining Sections 10 and 21, Block VIII, Woodland Survey District and Lots 1 and 2, D.P. 20329. Shown marked "A" on S.O. Plan 22380.

400 square metres, more or less, being unformed legal road adjoining part Section 11, Block VIII, Woodland Survey District. Shown marked "B" on S.O. Plan 22380.

Dated at Wellington this 10th day of October 1988.

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

(Lands H.O. Lands 10/11; D.O. Dn. 7; D.O.C. D.O. 13/48/4)

ln11681

Transfer of Unformed Legal Road in Block VI, Kawau Survey District, Rodney County

Pursuant to section 323 of the Local Government Act 1974, and to a delegation from the Minister of Lands, the Deputy Acting Director-General of Lands hereby declares that the land, described in the Schedule hereto, has been transferred to the Crown by The Rodney 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—Rodney County

3.9550 hectares, more or less, being Section 8, Block VI, Kawau Survey District. S.O. Plan 59206.

Dated at Wellington this 12th day of October 1988.

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

(Lands: H.O. Lands 10/1; D.O. Ak. 22/1/5)

ln11682

Public Works Act 1981

Land Acquired for the Purposes of a Motorway in the City of Wanganui

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Lands, Wanganui, 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 motorway and vested in the Crown on the 20th day of October 1988.

Schedule

Wellington Land District—City of Wanganui

5039 square metres, being Lot 16, D.P. 59155. All certificate of title, No. 28B/826.

Dated at Wanganui this 7th day of October 1988.

B. P. BONISCH, District Solicitor.

(Lands Wg. D.O. 8/85/0/9/60)

ln11481

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 subject to lease 453788.1, is taken in connection with a road and shall vest in the Crown on the 20th day of October 1988.

Schedule

Hawke's Bay Land District

Land comprising part of Orangitirohia No. 6 Block, situated in Wairoa District as follows:

Area m ²	Being
648	Lot 2, D.P. 7308. All certificate of title 142/47.
383	Lot 1, D.P. 8675. All certificate of title 142/48.

Area

m²

Being

627 Part Lot 30, D.P. 1413. All certificate of title 143/251.

197 Lot 2, D.P. 9403. All certificate of title 159/44.

Dated at Napier this 7th day of October 1988.

G. P. HULBERT, District Solicitor.

(Na. D.O. AD 6/2/28/1042)

ln11423

Land Set Apart for Road in the County of Taupo

Pursuant to section 52 (1) 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 to be set apart for a road, and pursuant to section 11 (1A) of the National Roads Act 1953 shall form part of State Highway No. 5.

Schedule

Hawke's Bay Land District

Area

m²

Being

290 Part Section 3 as shown marked 'B' on plan.

551 Part Section 3 as shown marked 'C' on plan.

Both in Block VII, Tarawera Survey District, as shown on S.O. Plan 8879, lodged in the office of the Chief Surveyor at Napier.

Dated at Napier this 7th day of October 1988.

G. P. HULBERT, District Solicitor.

(Na. D.O. AD 6/2/28/351)

ln11422

Land Declared to be Road and Road Stopped in the County of Stratford

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

(a) Pursuant to section 114, declares the land described in the First Schedule hereto to be road, which pursuant to section 11 (1A) of the National Roads Act 1953, shall form part of State Highway No. 43, and remain vested in the Crown.

(b) Pursuant to section 116, declares the portion of road described in the Second Schedule hereto to be stopped.

First Schedule

Taranaki Land District

Land Declared to be Road

All that piece of land containing 1438 square metres, situated in Block X, Ngatimaru Survey District, being part Lot 7, D.P. 393; as shown marked "B" on S.O. Plan 12760, lodged in the office of the Chief Surveyor at New Plymouth.

Second Schedule

Taranaki Land District

Road to be Stopped

All that piece of road containing 1517 square metres, situated in Block XI, Ngatimaru Survey District; adjoining or passing through part Lot 7, D.P. 393, Block X and Lot 8, D.P. 393, Block XI; as shown marked "A" on S.O. Plan 12760, lodged in the office of the Chief Surveyor at New Plymouth.

Dated at New Plymouth this 10th day of October 1988.

B. M. ROLLO, District Manager.

(Lands Wg. D.O. 7/43/0)

ln11657

1CL

Declaring Part of Road Adjoining Benmore Run to be Stopped

Pursuant to section 116 and 117 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, declares the portions of road described in the Schedule hereto to be stopped and to be dealt with as Crown land under the Land Act 1948.

Schedule

Canterbury Land District—Malvern County

All that piece of road containing 2.5440 hectares, adjoining or passing through Run 319; as shown marked "A" on S.O. Plan 17633, lodged in the office of the Chief Surveyor at Christchurch.

Dated at Christchurch this 13th day of October 1988.

A. T. DOBBS, District Manager.

(Lands Ch. D.O. 35/29)

In11650

ICL

Declaring Part of 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—Mackenzie County

All those pieces of road:

Area ha	Adjoining or passing through
1.7885	Part Run 290; as marked "W" on S.O. Plan 16043.
2.2398	Part Run 290; as marked "E" on S.O. Plan 17243.
4.8240	Part Run 290; as marked "F" on S.O. Plan 17243.

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

Dated at Christchurch this 12th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/14/4/1/7)

In11651

ICL

Leasehold Interest Acquired for Upper Waitaki Power Development

Pursuant to sections 20 (1) and 28 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 leasehold estate in the land described in the Schedule hereto, formerly held from Her Majesty the Queen by Rhoborough Downs Ltd. at Timaru under and by virtue of a pastoral lease recorded in Volume 5C/1019, Canterbury Land Registry, is hereby acquired for the generation of electricity on the date of publication in the *Gazette*.

Schedule

Canterbury Land District—Mackenzie County

Area m ²	Being
46.5030	Part Run 290; as shown marked "A" on S.O. Plan 16043.
2.3399	Part Run 290; as shown marked "A" on S.O. Plan 17243.
1.2887	Part Run 290; as shown marked "B" on S.O. Plan 17243.

As shown marked as above mentioned on the above-mentioned S.O. Plans, lodged in the office of the Chief Surveyor at Christchurch.

Dated at Christchurch this 10th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/14/4/1/7)

In11652

ICL

Crown Land Set Apart for the Development of Water Power

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 development of water power.

Schedule

Canterbury Land District—Mackenzie County

10.1517 hectares, being part Reserve 5075; as shown marked "C" on S.O. Plan 17243, lodged in the office of the Chief Surveyor at Christchurch.

Dated at Christchurch this 10th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/14/4/1/7)

In11653

ICL

General Education Reserve in Inangahua Set Apart for a Teacher's Residence

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 reserve for general education purposes described in the Schedule hereto to be set apart for a teacher's residence.

Schedule

Nelson Land District—Inangahua County

1612 square metres (0a 1r 24p), being Sections 26 and 27, Town of Buller. All *Gazette* notice No. 738871.

Dated at Christchurch this 10th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/9/229)

In11654

ICL

Land at 48 Oxley 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 shall vest in the Crown on the date of publication in the *Gazette*.

Schedule

Canterbury Land District—City of Christchurch

1012 square metres, being Lot 46, D.P. 1527. All certificate of title No. 31B/47.

Dated at Christchurch this 7th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 40/62/447)

In11655

ICL

Land Near Opawa Road Acquired for Road Diversion

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 road diversion and

vested in The Christchurch City Council on the date of publication of this declaration in the *Gazette*.

Schedule

Canterbury Land District—Christchurch City

Area m ²	Being
206	Part Lot 8, D.P. 10073; marked "A" on plan.
4	Part Lot 8, D.P. 10073; marked "B" on plan.

As shown marked as above mentioned on S.O. Plan 17634, lodged in the office of the Chief Surveyor at Christchurch.

Dated at Christchurch this 12th day of October 1988.

R. J. MILNE, District Solicitor.

(Lands Ch. D.O. 35/1/4)
ln11656

1CL

Declaring Part of Road at Waimangaroa to be Stopped

Pursuant to section 116 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, declares the portions of road described in the Schedule hereto to be stopped.

Schedule

Nelson Land District—Buller County

All that piece of road containing 848 square metres, adjoining or passing through part Section 26, D.P. 3325; as shown marked "A" on S.O. Plan 14343, lodged in the office of the Chief Surveyor at Nelson.

Dated at Nelson this 13th day of October 1988.

J. MCKENZIE, District Manager.

(Lands Ch. D.O. 40/72/67/12/24)
ln11680

1CL

Land Acquired for River Control Purposes in Southland County

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager of the Department of Lands, Invercargill, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for river control purposes, together with the appurtenant right of way over part Lot 1, D.P. 11255, marked "A" on the said plan—created by transfer 107490.1, and also subject to fencing covenant 110987.1, and shall vest in The Southland Catchment Board at the date of publication hereof in the *Gazette*.

Schedule

Southland Land District

8.3400 hectares, situated in Block II, Invercargill Hundred, being Lot 3, Deposited Plan 11283. All certificate of title No. 7B/34.

Dated at Invercargill this 12th day of October 1988.

P. J. PERKINS, District Manager.

(Lands Dn. 96/785000/0)
ln11683

1CL

Land Acquired for River Control Purposes in Southland County

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager of the Department of Lands, Invercargill, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for river control purposes and shall vest in The Southland Catchment Board on the date of publication hereof in the *Gazette*.

Schedule

Southland Land District

5.2406 hectares, situated in Block IV, Invercargill Hundred, being Lot 1, Deposited Plan 7509. All certificate of title No. B4/136.

Dated at Invercargill this 12th day of October 1988.

P. J. PERKINS, District Manager.

(Lands Dn. 96/785000/0)
ln11684

1CL

Land Acquired for River Control Purposes in Southland County

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager of the Department of Lands, Invercargill, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for river control purposes, and shall vest in The Southland Catchment Board on the date of publication hereof in the *Gazette*.

Schedule

Southland Land District

1359 square metres, situated in Block IV, Invercargill Hundred, being Lot 7, Deposited Plan 10072. All certificate of title No. 6A/67.

Dated at Invercargill this 12th day of October 1988.

P. J. PERKINS, District Manager.

(Lands Dn. 96/775000/0)
ln11685

1CL

Amending a Notice Declaring Land to be Crown Land in the Borough of Picton

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington, hereby amends the notice dated the 10th day of May 1988 and published in the *New Zealand Gazette* of 19 May 1988, No. 85 at page 209, declaring land to be Crown land in the Borough of Picton by omitting the Schedule and substituting the following:

"1012 square metres, situated in the Borough of Picton, being Section 1, S.O. Plan 6710, lodged in the office of the Chief Surveyor at Wellington."

Dated at Wellington this 19th day of September 1988.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. 13/4/36/0/1)
ln11738

1CL

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>
New Zealand Horticulture Export Authority Act 1987	Horticultural Prescribed Products (Wasabi) Order 1988	1988/251	17/10/88	2-A	\$2.20
New Zealand Horticulture Export Authority Act 1987	Horticultural Prescribed Products (Squash) Order 1988	1988/252	17/10/88	2-A	\$2.20
Toxic Substances Act 1979	Toxic Substances Regulations 1983, Amendment No. 3	1988/253	17/10/88	9-C	\$4.10
Tokelau Act 1948	Tokelau Marriage Regulations 1986, Amendment No. 1	1988/254	17/10/88	3-B	\$2.85
Accident Compensation Act 1982	Accident Compensation (Increase Amounts) Order (No. 2) 1988	1988/255	17/10/88	2-A	\$2.20
Income Tax Act 1976	Income Tax (Withholding Payments) Regulations 1979, Amendment No. 7	1988/256	17/10/88	2-A	\$2.20
Transport Act 1962	Transport (School Bus Services) Notice 1988	1988/257	21/9/88	2-A	\$2.20

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General

New Zealand Society of Accountants

New Zealand Society of Accountants' Act 1958

Notice of Decision of Disciplinary Committee Upheld by the Committee of Appeal

At a meeting of the Disciplinary Committee held 20/21 May 1987, Kenneth Douglas Mexted of Auckland, a member of the society, appeared before the committee on charges that he had been guilty of grave impropriety in a professional respect, guilty of acts and defaults discreditable to an accountant, and of having conducted himself in such a manner as to render the exercise of the powers of the Disciplinary Committee expedient in the interests of the public and of the society.

The charges arose in that on 16 November 1983 in the District Court in Auckland the member was convicted of 5 crimes involving dishonesty as defined by section 2 of the Crimes Act 1961, and more particularly described in the annexed certified true copy of the District Court at Auckland, dated 1 February 1986.

The member was found guilty on all charges. The committee ordered that the name of Kenneth Douglas Mexted be removed from the register of members of the New Zealand Society of Accountants and pursuant to section 24 (e) of the New Zealand Society of Accountants' Act 1958 the Disciplinary Committee fixed 12 years from the date of such removal as the date after which Kenneth Douglas Mexted might apply for re-registration. Pursuant to section 24 (3) (e) of the New Zealand Society of Accountants' Act 1958 the Disciplinary Committee ordered that Kenneth Douglas Mexted be required to pay the sum of \$3,420.00 plus GST in respect of costs and expenses of and incidental to the inquiry of the

Disciplinary Committee and the investigation by the Investigation Committee.

The Disciplinary Committee directed that its decision be published in the *New Zealand Gazette* and the *Accountants' Journal* with mention of the member's name and the locality, and that the notice in the *New Zealand Gazette* be drawn to the attention of the editor of the *New Zealand Herald*. The member appealed against the decision of the Disciplinary Committee.

At a meeting of the Committee of Appeal, held 10 October 1988, Mr Mexted failed to appear before the committee to prosecute his appeal. The Committee of Appeal upheld the

decision of the Disciplinary Committee and dismissed the member's appeal. Pursuant to section 25 (2) of the New Zealand Society of Accountants' Act 1958, the Committee of Appeal ordered that Kenneth Douglas Mexted be required to pay the sum of \$2,000.00 plus GST in respect of costs and expenses of and incidental to the appeal hearing.

Dated at Wellington this 10th day of October 1988.

R. H. WILLIAMS, Secretary.

Disciplinary Committee and Committee of Appeal.
gn11646
