



# The New Zealand Gazette

WELLINGTON: THURSDAY, 14 DECEMBER 1989

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## Using the Gazette

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Copy will be returned unpublished if not submitted in accordance with these requirements.

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## Vice Regal

### Return of the Governor-General from Overseas

His Excellency the Governor-General, the Most Reverend Sir Paul Reeves, G.C.M.G., G.C.V.O., returned to Bluff at 11 a.m. on Saturday, 9 December, having completed an official visit to New Zealand's sub Antarctic islands.

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

Chief Justice of New Zealand, the Honourable Sir Thomas Eichelbaum, G.B.E., has relinquished office as the Administrator of the Government.

PAUL CANHAM, Official Secretary.

Government House, Wellington.

vr22869

## Parliamentary Summary

### Bills Introduced

#### Government Bills

(Minister/Member in Charge Shown in Parenthesis)

5 December 1989

Animal Control Products Limited Bill. (Hon. Colin Moyle.)

Civil Aviation Amendment Bill. (No. 2) (Hon. W. P. Jeffries.)

Births, Deaths, and Marriages Registration Bill. (Hon. W. P. Jeffries.)

Serious Fraud Office Bill. (Hon. W. P. Jeffries.)

Queen Elizabeth the Second National Trust Amendment Bill (No. 2). (Hon. Philip Woollaston.)

Resource Management Bill. (Rt. Hon. Geoffrey Palmer.)

Runanga Iwi Bill. (Hon. K. T. Wetere.)

Transport Amendment Bill (No. 4). (Hon. W. P. Jeffries.)

Shop Trading Hours Act Repeal Bill. (Hon. Helen Clark.)

Employment Equity Bill. (Hon. Helen Clark.)

Importation of Medicines Bill. (Hon. David Butcher.)

Government Superannuation Fund Amendment Bill (No. 4). (Hon. Peter Neilson.)

#### Referred to Select Committee

Primary Production.

Communications and Road Safety.

Justice and Law Reform.

Justice and Law Reform.

Planning and Development.

Committee on the Bill.

Maori Affairs.

Communications and Road Safety.

Labour.

Labour.

Commerce and Marketing.

Finance and Expenditure.

### Summary of Bills Introduced

#### *Animal Control Products Limited Bill*

The objects of the Bill are: to empower the Minister of Agriculture and Minister of Finance to form and register a company to take over the business of Animal Control Products; to provide for the vesting in that company of the property and liabilities of the Agricultural Pest Destruction Council that are used for, or held for the purposes of, the poison factory business; to provide for the disposal of the shares in the new company; and to repeal section 17 of the Agricultural Pests Destruction Act 1967.

*Births, Deaths, and Marriages Registration Bill*

The Bill consolidates and amends the Births and Deaths Registration Act 1951 and certain provisions of the Marriages Act 1955 relating to the registration of marriages.

*Civil Aviation Amendment Bill (No. 2)*

This Bill amends the Civil Aviation Act 1964.

*Clause 1* relates to the Short Title.

*Clause 2* substitutes a new section into the principal Act, which deals with the sale of liquor at international airports.

This clause provides—

- (a) That such sales of liquor are dealt with by the section itself, although regulations may be made to regulate and control such sales; and
- (b) That liquor can now be sold to passengers on aircraft arriving in New Zealand; and
- (c) Such sales may only be made to passengers who have attained the age of 20 years; and
- (d) The maximum fine for offences under the section or any regulations made under the section is increased from \$100 to \$1,000; and
- (e) That liquor so sold may be delivered by or on behalf of the purchaser to any persons within New Zealand or consumed within New Zealand if it has been entered by the passenger for home consumption in accordance with the Customs Act 1966.

*Employment Equity Bill*

This Bill establishes procedures designed to achieve employment equity, through—

- the identification of areas of employment with inequality of opportunity for designated groups, and inequality of remuneration for women;
- the promotion of equal employment opportunities;
- the redress of remuneration inequalities for women.

The Bill has four parts, covering the following:

- employment equity commissioner;
- equal employment opportunities;
- pay equity;
- miscellaneous provisions.

The changes come into force on 1 October 1990.

*Government Superannuation Fund Amendment Bill (No. 4)*

The Government Superannuation Fund Amendment Bill (No. 4) provides for variations in the rates of allowances, annuities and other payments that are payable under the Government Superannuation Fund Act 1956.

These variations are as a consequence of the enactment of the Income Tax Amendment Act 1989. The following changes in taxation are taken into account in the changes proposed by the Bill:

- (a) Investment earnings of superannuation schemes are now taxable;
- (b) Employer contributions to schemes are now subject to superannuation withholding tax; and
- (c) Pensions (as well as lump sums) are tax free from 1 April 1990.

*Importation of Medicines Bill*

This Bill relates to the importation of medicines by the Crown.

Section 32A of the Medicines Act 1981 was enacted by section 66 of the Finance Act (No. 5) 1989, which was passed through all stages on Budget night. That section provides blanket protection in respect of the importation of medicines by the Crown.

This Bill removes that blanket protection, and provides instead certain specific protections under the Crown Proceedings Act 1950, the Trade Marks Act 1953, and the Copyright Act 1962.

The amendments to the Crown Proceedings Act 1950 and the Trade Marks Act 1953 are to similar effect. They protect the Crown and other persons from liability in respect of any infringement of trade mark relating to any medicine imported under section 32A, except where—

- (a) The trade mark was wrongfully applied to the medicine before importation; or
- (b) The trade mark was applied to the medicine after importation.

The amendments to the Copyright Act 1962 provide protection against liability for breach of copyright relating to any literary or artistic work connected with a medicine imported under section 32A if the work was made or distributed in an overseas country by or with the licence of the owner of the copyright in that country.

*Queen Elizabeth the Second National Trust Amendment Bill (No. 2)*

This Bill makes a number of miscellaneous amendments to the Queen Elizabeth the Second National Trust Act 1977.

Appointment for the directors of the Trust will be provided for. The number of Ministerial appointees will be reduced to four. Appointment criteria will be altered.

A provision for the appointment of special committees for particular purposes will be continued.

Consent is no longer required by the Minister of Conservation in order for an open space covenant to be executed in respect of land that is subject to a Crown lease.

*Resource Management Bill*

The objective of this Bill is to integrate the laws relating to resource management and to set up a resource management system that promotes sustainable management of natural and physical resources.

The Bill integrates existing laws by bringing together the management of the land, including land subdivision, water and soil, minerals and energy resources, the coast, air, and pollution control, including noise control. It sets out the rights and responsibilities of individuals and territorial, regional and central government.

The Bill contains 15 parts, as follows:

- Interpretation and application
- Purpose and principles
- Duties and restrictions under this Act
- Functions, powers and duties of Central and Local Government
- Policy statements and plans
- Resource consents
- Designations, Heritage Orders and Water Conservation Orders
- Subdivision
- Crown-owned minerals
- Planning Tribunal
- Declarations, enforcement and ancillary powers
- Miscellaneous provisions
- Transitional provisions
- Transitional provisions relating to minerals
- Hazards Control Commission

#### *Runanga Iwi Bill*

This Bill provides for the third stage of the restructuring of Maori Affairs. The first stage was the establishment of the Ministry of Maori Affairs, and its recognition as a Department of the Public Service under the State Sector Act 1988. The second stage was the restructuring of the Department of Maori Affairs to form the Iwi Transition Agency, and the abolition of the Board of Maori Affairs. The Bill provides for the incorporation of runanga to be those iwi authorities. It sets out some of the identifying characteristics of an iwi. In the event of a dispute as to whether a group of people is or is not to be considered an iwi, the Maori Land Court will decide, having regard to these matters. The Bill also proposes the establishment of taura here groups within the rohe of other iwi. The office of the Registrar of Runanga will be held by the Chief Registrar of the Maori Land Court.

#### *Serious Fraud Office Bill*

This Bill contains provisions arising from the establishment of a Serious Fraud Office. The Serious Fraud Office became a Department of the Public Service in September 1989 as a result of the making of the State Sector Order (No. 3) 1989.

The objectives of the Bill are threefold, the first being to facilitate the detection and investigation by the Serious Fraud Office of cases of serious or complex fraud. The bill confers various powers on the Director of the Serious Fraud Office for this purpose, i.e., powers to gather information and to search premises.

It will also enable proceedings relating to serious or complex fraud to be taken expeditiously. This is to be achieved principally by the establishment of a Serious Fraud Prosecutors Panel.

Finally, it will provide for matters incidental upon the establishment of the Serious Fraud Office. These consist largely of administrative matters relating to the day to day running of the Serious Fraud Office.

#### *Shop Trading Hours Act Repeal Bill*

This Bill (of four clauses) has the effect of empowering the occupiers of shops to open and close them whenever they wish. The Bill also provides certain protection to workers employed in shops. The change comes into force on 30 April 1990.

#### *Transport Amendment Bill (No. 4)*

The Bill inserts a new section 66A into the Transport Act 1962, giving constables and traffic officers who are officers of the Ministry of Transport powers of entry onto private property in certain circumstances for the purpose of exercising their powers under the breath-alcohol provisions of the Act.

ps22849

## Government Notices

### **Agriculture and Fisheries**

#### **Fisheries Act 1983**

##### **Proposed Auckland Fishery Management Plan Available for Public Inspection Notice (No. 4951)**

Pursuant to section 8 of the Fisheries Act 1983, I advise that the proposed Auckland Fishery Management Plan is now

available for public inspection from 14 December 1989 to 14 March 1990.

The Proposed Auckland Fishery Management Plan may be inspected during office hours at the enquiries/reception area at the following offices of the Ministry of Agriculture and Fisheries:

Head Office (Gillingham House, 101-103 The Terrace, Wellington).

Auckland (Challenge Realty House, 12-14 Hobson Street).

Whangarei (MAF Laboratory Building, Keyte Street).

Tauranga (Corner Elizabeth and Durham Streets).

Nelson (Port Nelson Complex, Vickerman Street).

Dunedin (Commercial Union Building, 23 Crawford Street).

The proposed plan may also be inspected at most libraries and Regional and District Council Offices in the Auckland region.

Submissions and objects to the proposed plan may be addressed to: The Regional Manager, MAF Fisheries, P.O. Box 3437, Auckland.

Dated at Wellington this 11th day of December 1989.

R. BALLARD, Director-General of Agriculture and Fisheries.  
go22845

## Hop Marketing Regulations 1939

### Hop Levy (Notice No. 4952; Ag. 4/54/13)

Pursuant to regulation 16A of the Hop Marketing Regulations 1939, I hereby fix at 5c/kg the levy payable to the Hop Marketing Committee in respect of hops sold from the date of this notice.

Dated at Wellington this 29th day of November 1989.

D. BUTCHER, for Minister of Agriculture.  
go22847

## Conservation

### Harbours Act 1950

#### Kaiteriteri Bay Grant of Control Order 1989

THOMAS EICHELBAUM, Administrator of the Government  
ORDER IN COUNCIL

At Wellington this 4th day of December 1989

Present:

THE RIGHT HONOURABLE G. W. R. PALMER, PRESIDING IN  
COUNCIL

Pursuant to sections 8A and 165 of the Harbours Act 1950, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, and on the request of the Kaiteriteri Recreation Reserves Board, hereby makes the following order.

#### Order

**1. Title and commencement**—(a) This order may be cited as the Kaiteriteri Bay Grant of Control Order 1989.

(b) This order shall come into force 28 days after its publication in the *Gazette*.

**2. Interpretation**—In this order:

“The Act” means the Harbour Act 1950:

“The Board” means the Kaiteriteri Recreation Reserves Board:

“Foreshore” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the ebb and flow of the tide at ordinary spring tides:

“Minister” means the Minister of Conservation, and includes any officer, person, or authority acting by or under the direction or authority of the Minister.

**3. Grant of control**—There is hereby granted to the Board for a period of 21 years from the commencement of this order, subject to the provisions of sections 8A and 165 of the Act and to the conditions specified in this order:

(a) The control of the foreshore described in the First Schedule to this order;

(b) The control of the waters described in the Second Schedule to this order.

**4. Conditions of grant**—The grant of control conferred by clause 3 of this order is subject to the following conditions:

(a) Suitably worded signs shall be erected at main public access ways to the foreshore and waters described in the Schedules to this order indicating that control of them has been granted to the Board pursuant to sections 8A and 165 of the Act.

(b) All money received by the Board in the performance or exercise of the functions, duties, or powers conferred on it by this order in respect of the foreshore and waters to which this order applies, shall, after the deduction of any expenditure incurred by the Board in the performance or exercise of those functions, duties, or powers, be applied to the construction, repair, or improvement of facilities in respect of that foreshore and waters and not otherwise.

**5. Powers of Board**—Subject to the provisions of section 8A of the Act, the Board may, in respect of the waters to which this order applies:

(a) By bylaw, do anything which a harbour board may do by bylaw under section 232 of the Act;

(b) Appoint harbourmasters and other officers, and define or limit their powers and duties.

## SCHEDULES

### First Schedule

#### Foreshores

All those parts of the foreshore of Kaiteriteri Bay adjoining the Nelson Land District, Tasman District, as bounded by a line commencing at peg XLVIII, on S.O. Plan 3862, being the western-most point of Kaka Point; thence along a line bearing 168° true for 680 links approximately to the eastern-most point of a rock; thence along a line bearing 172° true for 660 links approximately to the eastern-most point of Kaka Island; thence along a right line to the eastern-most point of Torlesse Rocks; thence south-westerly along the mean high water mark to the southern-most point of the said rocks; thence due west to the mean high water mark of the mainland shore and generally northerly along that mean high water mark to the point of commencement.

### Second Schedule

#### Waters

All the waters of Kaiteriteri Bay adjoining the Nelson Land District, Tasman District, as bounded by a line commencing at peg XLVIII, on S.O. Plan 3862, being the western-most point of Kaka Point; thence along a line bearing 168° true for 680 links approximately to the eastern-most point of a rock; thence along a line bearing 172° true for 660 links approximately to the eastern-most point of Kaka Island; thence along a right line to the eastern-most point of Torlesse Rocks; then south-westerly along the mean high water mark to the southern-most point of the said rocks; thence due west to the mean high water mark of the mainland shore and generally northerly along that mean high water mark to the point of commencement.

C. J. HILL, for Clerk of the Executive Council.  
go22586

## Validation of Reclamation of Lands in Onehunga Bay, Manukau Harbour

PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 11th day of December 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 265 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby validates in the name of the Auckland Harbour Board, the reclamation of land in Onehunga Bay, Manukau Harbour and more particularly described in the attached Schedule, a condition of the reclamation being validated is that the area so reclaimed shall be open to public walking access at all times.

### Schedule

All that reclaimed sea bed being Auckland Harbour Endowment of the Manukau Harbour comprising 2180 square metres, more or less, situated in North Auckland Land District, and more particularly shown as Lot 1 on plan DOC (CM) H 00034, sheet (2) of (4), deposited in the Auckland Conservancy office of the Department of Conservation.

MARIE SHROFF, Clerk of the Executive Council.  
go22853

## Authorising the Milford Sound Development Consortium to Reclaim Land in Freshwater Basin, Milford Sound

PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 11th day of December 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 175 (3) of the Harbours Act 1950, His Excellency the Governor-General, acting on the recommendation of the Minister of Conservation and the Minister of Lands and with the approval of the Minister of Transport and by and with the advice and consent of the Executive Council, hereby authorises the Milford Sound Development Consortium to reclaim an area of 2.395 hectares of land in Freshwater Basin, Milford Sound more particularly described in the Schedule below.

This authorisation is subject to the following conditions:

(i) The area reclaimed is to be open for public access except for those areas where public safety would be compromised.

(ii) All environmental protection measures described in the EIA are to be implemented. Variations in these measures may be agreed to by the Director-General of Conservation where they will not compromise environmental protection.

(iii) The section 178 application is to provide details of steps which will be taken to minimise the environmental impacts of dredging.

(iv) A work plan is to be lodged fortnightly with the Department of Conservation field station manager, Te Anau, detailing the work proposed for the following fortnight to enable the field station manager to plan field inspections.

(v) At the discretion of the regional conservator (Southland) a Department of Conservation officer may be present at the site to monitor the works and in particular environmental protection. The project staff are to provide such explanations and assistance as are reasonably requested by the officer.

(vi) The facilities currently at Milford Sound are to remain operational except where public safety is compromised.

(vii) If any facilities are to be temporarily closed the regional conservator (Southland) is to be notified in writing of the

closure and reasons for it at least 10 working days in advance, except where closure at less notice is necessitated for public safety or other public interest reasons.

(viii) A bond is to be lodged with the Department of Conservation. The amount and details of the bond will be set out in the conditions of the section 178 approval. Non compliance with any consent conditions may result in the loss of all or part of the bond. If any environmental rehabilitation work is required, and is not done to the satisfaction of the regional conservator, the work may be carried out by the department and funded from the bond.

(ix) The breakwater is to be landscaped to the satisfaction of the regional conservator (Southland). The shape and cross-section of the breakwater is to be irregular as shown in figure 2 of the EIA to avoid any unnatural geometric appearance.

(x) The consortium is to consult with the Southland Regional Council and the regional conservator (Southland) to determine a monitoring regime for the discharge of supernatant water from the reclamation.

(xi) This reclamation authorisation shall lapse 2 years after the date of the Order in Council unless:

(a) effect has been given to this consent; or

(b) the Minister of Conservation has, on an application made within 3 months of the expiry date, by the Milford Sound Development Consortium or its legal successor, determined that substantial progress has been made in the construction of the reclamation and that progress is continuing, and has agreed to a further extension.

(xii) The consortium is required to undertake such maintenance work as is necessary to prevent the closure of the Freshwater Basin marginal embayment. Such work is to be approved by the regional conservator, Southland.

(xiii) Before commencing any works, the consortium must satisfy the Director-General of Conservation that sufficient funding is available to complete the project within 2 years.

### Schedule

All that parcel of land containing 2.395 hectares, more or less, situated in the Southland Land District and more particularly shown marked (A), (B) and (C) on plan D.O.C. (CM) DU197, (SO 11545), sheet (1) to (1), deposited in the Southland Conservancy Office of the Department of Conservation at Invercargill.

MARIE SHROFF, Clerk of the Executive Council.  
go22854

## Amendment of Authority to Takapuna City Council to Reclaim Land

PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 11th day of December 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 175 (4) of the Harbours Act 1950, the Governor-General, acting on the recommendation of the Minister of Conservation, and with the advice and consent of the Executive Council, hereby amends the Order in Council authorising the Takapuna City Council to reclaim approximately 830 square metres of Crown land at Greenhithe, Waitemata Harbour, *New Zealand Gazette*, 16 October 1975, No. 87, page 2275) by:

(a) deleting the words "30 perches" and substituting the words "570 square metres"

(b) deleting the words "as shown on plan M.D. (N) 96 and deposited in the office of the Ministry of Transport at Auckland" and substituting the words "more particularly described in the Schedule below."

(c) inserting the following Schedule:

### Schedule

All that parcel of land containing 570 square metres, more or less, situated in Block VII, Waitemata Survey District, and more particularly shown marked (A), part Bed of Waitemata Harbour, on plan S.O. 63769, but excluding that area marked AREA NOT TO BE RECLAIMED' on plan DOC (CM) AK 00007, sheet (4) of (4), drawing No. 8657, deposited in the Auckland Conservancy of the Department of Conservation.

MARIE SHROFF, Clerk of the Executive Council.  
go22857

### The Wanganui Harbour Foreshore Control Order 1989

PAUL REEVES, Governor-General

#### ORDER IN COUNCIL

At Wellington this 11th day of December 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 165 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

### Order

**1. Title and commencement**—(1) This order may be cited as the Wanganui Harbour Foreshore Control Order 1989.

(2) This order shall be deemed to have come into force on the 27th day of September 1989.

**2. Interpretation**—In this order—

“The Act” means the Harbours Act 1950:

“The Council” means the Wanganui District Council:

“Foreshore” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides.

**3. Grant of control**—There is hereby granted to the council for a period of 21 years from the 27th day of September 1989 and ending with the 26th day of September 2010 control of the foreshore described in the Schedule to this order.

**4. Conditions of grant**—The grant of control conferred by clause 3 of this order is subject to the following conditions—

(1) Suitably worded signs shall be erected at main public access ways to the foreshore described in the Schedule to this order indicating that control of it has been granted to the council pursuant to section 165 of the Act.

(2) All money received by the council in the performance or exercise of the functions, duties or powers conferred on it by this order in respect of the foreshore to which this order applies, shall after the deduction of any expenditure incurred by the council in the performance or exercise of those functions, duties or powers, be applied to the construction, repair or improvement of facilities in respect of that foreshore and not otherwise.

### Schedule

All those areas of foreshore lying within the limits of Wanganui Harbour as defined in *Gazette*, 8 March 1906, page 744, and as shown on Plan DOC (CM) WA 00039 held in the Wanganui conservancy of the Department of Conservation excluding thereout foreshore subject to section 53 of the Wanganui

Harbour and River Conservators Board Act 1876, such land now being vested in The Wanganui District Council.

MARIE SHROFF, Clerk of the Executive Council.  
go22861

### Reserves Act 1977

#### Trustee of Oamaru Racecourse Appointed

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Otago Regional Conservator, hereby appoints

Neville Leslie McNee

to be a member of the board of trustees constituted under the Oamaru Racecourse Reserve Management Ordinance 1870 (Province of Otago), in place of P. T. Mulligan, deceased.

Dated at Dunedin this 7th day of December 1989.

J. E. CONNELL, Regional Conservator, Otago Conservancy.  
(D.O.C. C.O. 8/61/1) 2/1  
go22866

### Defence

#### Defence Act 1971

#### Appointments, Promotions, Extensions, Transfers, Resignations, and Retirements of Officers of the Royal New Zealand Air Force

Pursuant to section 35 of the Defence Act 1971, His Excellency the Governor-General has approved the following appointments, promotions, extensions, transfers, resignations, and retirements of officers of the Royal New Zealand Air Force.

#### REGULAR AIR FORCE

##### General Duties Branch

##### Appointment

Squadron Leader J. B. McMillan to be temporary Wing Commander with effect from 11 September 1989.

##### Promotions

Flight Lieutenant G. A. Todd to be Squadron Leader with seniority and effect from 4 July 1989.

The following Flying Officers to be Flight Lieutenant with seniority and effect from 29 August 1989:

O. P. Bieleski.

V. J. Clark.

P. F. Hughes.

C. J. Hutchison.

D. Laming.

I. A. McCarroll.

G. E. Perry.

The following Flying Officers to be Flight Lieutenant with seniority and effect from the date shown:

P. W. Wilson, 2 September 1989.

G. C. Comber, 7 September 1989.

R. L. Helliwell, B.COM., 9 October 1989.

The following Pilot Officers to be Flying Officer with seniority and effect from 4 August 1989:

D. J. Davison.

G. A. Frew.

K. R. Hambling, N.Z.C.Q.S.

H. M. J. Pearce.

A. L. Reid.

D. P. Vandersloot.

Pilot Officer D. K. Menzies, B.Sc., to be Flying Officer with seniority and effect from 8 September 1989.

*Transfers to Reserve*

The following are transferred to the Reserve of Air Force Officers with effect from the date shown:

Wing Commander

Denis Valentine Monti, 5 August 1989.

Bruce McGregor Butterfield, 4 July 1989.

Squadron Leader

Peter Harold White, 19 September 1989 (to Active Reserve at his own request).

Colin Maurice Rippey, B.Sc., 21 June 1989.

Donald Scott Glendinning, 1 August 1989.

Michael Edward Ruxton Panther, 28 June 1989.

David Ralph Williamson, 6 June 1989.

Flight Lieutenant

David William Renison, B.Sc., 11 July 1989 (to Active Reserve with effect from 14 August 1989).

Terence Ralph Paddy, B.Sc., 18 July 1989.

Stephen John Morrissey, 13 August 1989.

Alan Thrower, 26 August 1989.

Carl Robert Nixon, 13 July 1989.

**Engineer Branch**

*Promotions*

Temporary Squadron Leader N. L. Hygate, B.Sc., to be Squadron Leader with seniority and effect from 17 July 1989.

Flying Officer B. J. Depree, N.Z.C.E., to be Flight Lieutenant with seniority and effect from 4 August 1989.

The following Pilot Officers to be Flying Officer with seniority and effect from 7 September 1989:

P. D. Cox, N.Z.C.E.

R. J. Howie, N.Z.C.E.

*Transfer to Reserve*

Air Commodore Graeme Bernard Gilmore, O.B.E., is transferred to the Reserve of Air Force Officers with effect from 1 July 1989.

**Administrative and Supply Branch**

*Appointments*

Secretarial Division

Flight Lieutenant V. M. Marett to be temporary Squadron Leader with effect from 28 August 1989.

Supply Division

Wing Commander J. Worden, M.B.E., to be temporary Group Captain with effect from 28 August 1989.

Special Duties Division

Flight Lieutenant D. R. Currey to be acting Squadron Leader with effect from 1 May 1989, and temporary Squadron Leader with effect from 1 August 1989.

*Promotions*

Secretarial Division

Flying Officer D. L. McEwen to be Flight Lieutenant with seniority and effect from 4 August 1989.

The following Pilot Officers to be Flying Officer with seniority and effect from 7 September 1989:

R. L. Brookland.

R. B. Palmer.

Supply Division

Flying Officer S. J. Goodman to be Flight Lieutenant with seniority and effect from 6 August 1989.

Pilot Officer C. S. Marshall to be Flying Officer with seniority and effect from 4 August 1989.

Special Duties Division

The following Flying Officers to be Flight Lieutenant with seniority and effect from the date shown:

C. G. Lund, 4 August 1989.

G. K. Pobog-Jaworowski, B.Sc.(HONS), M.A., 9 September 1989.

Pilot Officer T. J. Hoeymans to be Flying Officer with seniority and effect from 7 September 1989.

*Transfers to Reserve*

The following are transferred to the Reserve of Air Force Officers with effect from the date shown:

Secretarial Division

Wing Commander Murray Victor Kennett, 11 July 1989.

Wing Commander Norman Antony Fryer, 1 September 1989.

Squadron Leader Alan Mowbray Turner, 6 July 1989.

Supply Division

Wing Commander Barry McKenzie Garnett, 17 July 1989.

Squadron Leader Neville Douglas Farquhar, 8 June 1989.

Special Duties Division

Flying Officer Jillian Claire Larmer, 5 August 1989.

**Education Branch**

*Promotion*

Flying Officer M. F. Salvador to be Flight Lieutenant with seniority and effect from 4 August 1989.

**Medical Branch**

*Transfer to Reserve*

Flight Lieutenant George Goodwin, M.B. CH.B., is transferred to the Reserve of Air Force Officers with effect from 19 August 1989.

**TERRITORIAL AIR FORCE**

**Administrative and Supply Branch**

*Transfers to Reserve*

The following are transferred to the Reserve of Air Force Officers with effect from the date shown:

Special Duties Division

Flight Lieutenant Ian Anthony Wager, 1 July 1989.

Flying Officer Adam George McDiarmid Lawson, 7 February 1989 (to Active Reserve with effect from 4 September 1989).

**RESERVE OF AIR FORCE OFFICERS**

*Appointment*

Wing Commander John Joseph Horan, M.B., CH.B., D.P.H., is appointed to the Active Reserve for a period of 3 years with effect from 3 May 1989.

*Transfers to Retired List*

The following Squadron Leaders are transferred to the Retired List 'B' with effect from the date shown:

Ian William Collins, 1 May 1989.

Bruce Stanley Coutts, 27 May 1987.

Dated at Wellington this 1st day of December 1989.

R. J. TIZARD, Minister of Defence.



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

Pursuant to section 35 of the Defence Act 1971, His Excellency the Governor-General has approved the following appointments, promotions, extensions, transfers, resignations, and retirements of officers of the New Zealand Naval Forces.

#### ROYAL NEW ZEALAND NAVY

Lieutenant Commander Michael Patrick Downes is placed on the Emergency List of Officers of the Naval Reserves until 10 November 1991, with effect from 11 November 1989.

Desmond Francis Gorman, PH.D., M.B., CH.B., F.A.C.O.M., is appointed to the RNZN in the rank of Surgeon Lieutenant Commander (*on prob.*), with seniority from 7 November 1984 and effect from 13 September 1989; terminating on 12 September 1994.

Surgeon Lieutenant Commander (*on prob.*) D. F. Gorman, PH.D., M.B., CH.B., F.A.C.O.M., to be acting Surgeon Commander (*on prob.*) with effect from 7 November 1989.

The following to be Lieutenant Commander with seniority and effect from the date shown:

Temporary Lieutenant Commander D. I. Gubb, 16 November 1989.

Temporary Lieutenant Commander O. L. Liddicoat, 1 December 1989.

Lieutenant L. J. Seerup, N.Z.C.E., 1 December 1989.

Lieutenant James Patrick Maxwell is placed on the Emergency List of Officers of the Naval Reserves until 28 November 1991, with effect from 29 November 1989.

Lieutenant S. J. Butcher to be temporary Lieutenant Commander with effect from 30 October 1989.

The appointment of Lieutenant (*on prob.*) A. H. Keating to the RNZN is confirmed.

Temporary Lieutenant G. R. MacDonald, N.Z.C.E.(PP), to be Lieutenant with seniority from 15 November 1988 and effect from 18 August 1989.

Temporary Lieutenant R. A. Mugeridge to be Lieutenant with seniority from 26 May 1986 and effect from 4 July 1989.

Temporary Lieutenant (*on prob.*) P. A. Truscott, B.SC.(HONS), to be Lieutenant with seniority and effect from 28 July 1989, and his appointment to the RNZN is confirmed.

The appointment of Sub Lieutenant (*on prob.*) Michael Sydney Haines lapses with effect from 15 February 1989.

The appointment of temporary Lieutenant (*on prob.*) J. P. Taylor-Innes to the RNZN is confirmed.

Sub Lieutenant (*on prob.*) S. A. Hance to be Lieutenant (*on prob.*) with seniority and effect from 1 January 1988: the appointment of Lieutenant (*on prob.*) S. A. Hance to the RNZN is confirmed.

The appointment of temporary Lieutenant (*on prob.*) E. M. Weller to the RNZN is confirmed.

The following Sub Lieutenants (*on prob.*) to be temporary Lieutenant (*on prob.*) with effect from 21 October 1989:

W. L. Mackey.

C. D. McOmish.

The appointment of Midshipman (*on prob.*) Scott Kenneth Duncan lapses with effect from 18 October 1989.

#### ROYAL NEW ZEALAND NAVAL RESERVE

The following Honorary Commanders relinquish their honorary rank with effect from the date shown:

John Andrew Barbour, 3 October 1988.

Richard Holford Leo Culleton, 27 April 1989.

The following are appointed to the RNZNR in the honorary rank of Commander with seniority and effect from the date shown:

William Turner Oliver, 3 October 1988.

Michael Harry Pryce, 27 April 1989.

#### ROYAL NEW ZEALAND NAVAL VOLUNTEER RESERVE

The appointment of Commander R. W. Worth, V.R.D., LL.B.(HONS), M.JUR., is extended until 31 December 1991.

Lieutenant Commander Peter Colin Atkinson reverts to the Emergency List of Officers of the Naval Reserves until 15 July 1990, with effect from 20 October 1989.

Lieutenant L. G. K. Schmitt to be temporary Lieutenant Commander with effect from 22 August 1989.

Lieutenant C. E. Overy to be temporary Lieutenant Commander with effect from 1 May 1989 and his appointment is extended until 28 July 1992.

Ensign W. S. Riach to be Sub Lieutenant with seniority and effect from 1 January 1989.

Ensign C. M. Henshaw: with reference to the notice published in the Gazette, 5 May 1988, No. 76, page 1878, for the seniority date "1 January 1987" substitute "1 July 1987".

#### EMERGENCY LIST OF OFFICERS OF THE NAVAL RESERVES

The following are placed on the Retired List of the RNZN with effect from the date shown:

Commander David Lindesay Douglas, 10 October 1989.

Lieutenant Commander Barry Neil Nash, 27 October 1989.

The period of service of the following Lieutenants on the Emergency List of Officers of the Naval Reserves is terminated with effect from the date shown:

Richard Edmund Morris, B.COM., 2 October 1989.

Mark Stuart Richards, 29 October 1989.

Rodney Wilson Prescott, 23 October 1989.

Dated at Wellington this 1st day of December 1989.

R. J. TIZARD, Minister of Defence.

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## Health

### Medicines Act 1981

#### Consent to the Distribution of a New Related Product

Pursuant to section 96 of the Medicines Act 1981, the Minister of Health hereby consents to the distribution in New Zealand of the new related product set out in the Schedule hereto:

## Schedule

Name and Strength	Form	Name and Address of Manufacturer	Proprietary Name (if any)
Menthol 3.35 mg	Tablet	A W Allen Ltd., Blacktown, New South Wales, Australia	Allen's Butter-Menthol
Menthol 7.16 mg	Tablet	A W Allen Ltd., Blacktown, New South Wales, Australia	Allen's Anticol
Benzyl alcohol 0.72 mg			
Eucalyptus 0.12 mg			
Pine Oil 0.12 mg			
Camphor 0.042 mg			
Thymol 0.042 mg			

Dated this 3rd day of December 1989.

HELEN CLARK, Minister of Health.  
go22573

## Internal Affairs

### Films Act 1983

#### Chief Censor's Decisions: 3-31 October 1989

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

#### Key to Decisions

G—Approved for general exhibition.

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

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

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

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

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

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

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

#### Schedule

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge Format	Running Time Minutes	Reason for Cuts	Decision	Country of Origin	Notes Remarks
<b>3 October 1989</b>									
Amalagamated Hoyts Cinemas	Albert Pyun	Cyborg (T. No. 1)	1	35 mm	1.5		RP13	U.S.A.	
Penthouse Film Releasing Organisation S.A.	Unknown	HAWAII CALLS— LOVE CONNECTION	400	VHS	28.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	HOME COMING— INSIDE ERICA	400	VHS	27.5		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Columbia Films (NZ) Ltd.	Amy Heckerling	Look Who's Talking (T. No. 1)	1	35 mm	2.0		GY	U.S.A.	Previously titled "Big Talk".
Penthouse Film Releasing Organisation S.A.	Unknown	ODD MAN OUT—AN OFFICE AFFAIR	400	VHS	28.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Endeavour Films	Jean-Pierre Ponnelle	RIGOLETTO	1	35 mm	124.0		GA	West Germany	Italian singing, English subtitles.
<b>4 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	CAMPUS CAPERS— HOUSE OF PLEASURE	400	VHS	28.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	EROTIC EXOTIC— JADED LOVE	400	VHS	27.5		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	GAMES PEOPLE PLAY BEGINNER'S WEEK	400	VHS	28.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Columbia Films (NZ) Ltd.	Walter Hill	JOHNNY HANDSOME	1	35 mm	95.0		R16	U.S.A.	
Penthouse Film Releasing Organisation S.A.	Unknown	LET'S MAKE A DEAL—NAUGHTY PROFESSOR	400	VHS	28.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	THE NEWCOMER— DOUBLE UP AND CATCH UP	400	VHS	26.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
<b>5 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	BLONDE SANDWICH— BUTTERFLY DANCE	400	VHS	29.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	GOLDEN BOY 37	400	VHS	26.5		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	GOLDEN BOY VIDEO 32	400	VHS	28.0		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge Format	Running Time Minutes	Reason for Cuts	Decision	Country of Origin	Notes Remarks
Penthouse Film Releasing Organisation S.A.	Unknown	GOLDEN BOY VIDEO 33	400	VHS	27.0		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	GOLDEN BOYS 35	400	VHS	25.5		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	NEW GOLDEN BOYS 34	400	VHS	25.0		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	UNTITLED--- WEEKEND INTERLUDE	400	VHS	27.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
New Zealand U.S.S.R. Society Inc.	Pyotr Todorovsky	A WARTIME ROMANCE	1	16 mm	91.0		GA	U.S.S.R.	Russian dialogue, English subtitles.
<b>6 October 1989</b>									
Video Wholesalers	Lloyd Kaufman	THE BATTLE OF LOVES' RETURN	1	VHS	77.0		GY	U.S.A.	
Video Wholesalers New Zealand U.S.S.R. Society Inc.	Shuezy Gott Villen Novak	BLOODFIGHT IT'S NOT ALWAYS SUMMER IN THE CRIMEA	1 1	VHS 16 mm	92.5 147.5		RP16 GY	Hong Kong U.S.S.R.	Russian dialogue, English subtitles.
Endeavour Films	Claude D'Anna	MACBETH	1	35 mm	138.5		GA	France, West Germany	New applicant, Italian dialogue, English subtitles.
<b>9 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	BRILLIANT BOYS 10	400	VHS	54.5		R18	Unknown	Censor's note: explicit sexual content may offend. No dialogue.
Video Wholesalers Video Wholesalers	Michael J. Murphy Richard Brander	LEGEND OF A HERO SIZZLE BEACH, U.S.A.	1 1	VHS VHS	83.5 84.0		GY GA	U.K. U.S.A.	Censor's note: contains nudity.
Amalgamated Hoyts Cinemas	Rob Reiner	WHEN HARRY MET SALLY ...	1	35 mm	97.5		GA	U.S.A.	
<b>10 October 1989</b>									
Amalgamated Hoyts Cinemas	Terry Jones	ERIK THE VIKING	1	35 mm	105.0		GA	U.K., Sweden	Censor's note: contains violence.
Pacer Kerridge Film Distributors Ltd.	James Dearden	PASCALI'S ISLAND	1	35 mm	105.0		GA	U.K.	
<b>11 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	BRILLIANT BOYS 11	400	VHS	56.0		R18	Unknown	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	BRILLIANT BOYS 12	400	VHS	62.0		R18	Unknown	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	BRILLIANT BOYS 13	400	VHS	60.5		R18	Unknown	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	BRILLIANT BOYS 14	400	VHS	47.5		R18	Unknown	Censor's note: explicit sexual content may offend. No dialogue.
New Zealand U.S.S.R. Society Inc.	Vladimir Naumov	THE CHOICE	1	16 mm	139.0		RP13	U.S.S.R.	Russian dialogue, English subtitles.
<b>12 October 1989</b>									
Pacer Kerridge Film Distributors Ltd.	Ernst Wild	BARBER OF SEVILLE	1	35 mm	149.0		G	West Germany	Italian dialogue, English subtitles.
Penthouse Film Releasing Organisation S.A.	Unknown	COLOR CLIMAX BESTSELLERS PROGRAM 241	400	VHS	55.0		R18	Denmark	Censor's note: explicit sexual content may offend. German dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	COLOR CLIMAX BESTSELLERS PROGRAM NO 234	400	VHS	51.5		R18	Denmark	Censor's note: explicit sexual content may offend. German dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	DILDO-SCHOOL	400	VHS	78.5		R18	Unknown	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	DOUBLE PLEASURE	400	VHS	58.0		R18	U.S.A., West Germany	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	FLYING SANDWICH	400	VHS	82.5		R18	U.S.A., West Germany	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Kim Christy	SHE MALES 6	400	VHS	54.0		R18	U.S.A.	Censor's note: explicit sexual content may offend. Main title not on film.
Penthouse Film Releasing Organisation S.A.	Unknown	TRANSSEXUAL SECRETARY	400	VHS	56.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
<b>13 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	BIG E VOL 4	400	VHS	21.0		R18	U.S.A.	Censor's note: explicit sexual content may offend. Title does not appear on film.
Charley Gray's Pictures	Juzo Itami	A TAXING WOMAN	1	35 mm	129.0		GA	Japan	Japanese dialogue, English subtitles.

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge Format	Running Time Minutes	Reason for Cuts	Decision	Country of Origin	Notes Remarks
<b>16 October 1989</b>									
Pacer Kerridge Film Distributors Ltd.	Michael Anderson	MILLENNIUM	1	35 mm	107.0		GY	U.S.A., Canada	
<b>17 October 1989</b>									
United International Pictures	Robert Zemekis	Back to the Future Part II (T. No. 1)	40	35 mm	2.5		GY	U.S.A.	
United International Pictures	Ridley Scott	Black Rain (T. No. 1)	20	35 mm	2.0		RP13	U.S.A., Japan	
Warner Bros	John Cherry	Ernest Saves Christmas (T. No. 1)	20	35 mm	1.5		GY	U.S.A.	
Catalina Video	Jeff Stryker	JEFF STRYKER'S POWERFULL II, "THE RETURN"	1	VHS	110.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Pacer Kerridge Film Distributors Ltd.	George A. Romero	Monkey Shines (T. No. 1)	6	35 mm	2.0		RP13	U.S.A.	
Amalgamated Hoyts Cinemas	Paul Bogart	Torch Song Trilogy (T. No. 1)	4	35 mm	2.5		GA	U.S.A.	
<b>18 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	BIG E VOL 5	400	VHS	27.0		R18	U.S.A.	Censor's note: explicit sexual content may offend. Title does not appear on video.
Penthouse Film Releasing Organisation S.A.	Unknown	BIG TITS II	400	VHS	29.0		R18	West Germany	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	GEILE PISSEREIEN	400	VHS	30.0		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue
Penthouse Film Releasing Organisation S.A.	Unknown	LESSON FOR LISA	400	VHS	30.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	MUMMY, DADDY & DAUGHTER JENNY	400	VHS	20.5		R18	U.K.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	PADDLED SECRETARY	400	VHS	24.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	THE SCHOOL REPORTS	400	VHS	27.0		R18	U.K.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	SHELLY'S REVENGE	400	VHS	26.5		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	TEEN SEX VIDEO 2	400	VHS	27.0		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue.
<b>19 October 1989</b>									
Cultural and Educational Exhibitions Ltd.	Terence Davies	DISTANT VOICES, STILL LIVES	1	35 mm	85.0		GA	U.K.	Censor's note: some scenes may disturb. New applicant.
Cultural and Educational Exhibitions Ltd.	Mira Nair	SALAAM BOMBAY!	1	35 mm	110.5		GA	India, France, U.K.	Censor's note: some content may disturb. New applicant, Hindi dialogue, English subtitles.
<b>20 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	MAID SERVICE	400	VHS	21.0		R18	U.K.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	PAINFULL MEMORIES	400	VHS	23.5		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	PUNISHMENT ROOM	400	VHS	27.5		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	THE SCHOOL REPORTS 2	400	VHS	19.0		R18	U.K.	Censor's note: Explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	SHELLY'S PUNISHMENT	400	VHS	29.0		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Harrison Marks	THE ULTIMATE CHASTISEMENT OF MANDY BAIT	400	VHS	29.5		R18	U.K.	Censor's note: explicit sexual content may offend.
<b>24 October 1989</b>									
Pacer Kerridge Film Distributors Ltd.	Giuseppe Tornatore	Cinema Paradiso (T. No. 1)	1	35 mm	2.0		GY	U.K.	English narration.
Columbia Films (NZ) Ltd.	Ed Zwick	Glory (T. No. 1)	40	35 mm	1.0		GA	U.S.A.	
Warner Bros	Peter Yates	AN INNOCENT MAN	1	35 mm	114.5		R16	U.S.A.	Censor's note: language may offend.
United International Pictures	David Jones	JACKKNIFE	1	35 mm	102.0		GA	U.S.A.	Censor's note: some language may offend.
<b>25 October 1989</b>									
Christchurch Movie Club Inc./Christchurch International Film Festival	University of Southern California	ADDRESS LESS	1	16 mm	15.0		Exempt	U.S.A.	
Christchurch Movie Club Inc./Christchurch International Film Festival	Idelle Musiek	CELL WARS	1	16 mm	11.0		Exempt	U.S.A.	
Amalgamated Hoyts Cinemas	Albert Pyun	CYBORG	1	35 mm	86.5		R16	U.S.A.	Censor's note: violence may disturb.

Applicant	Maker	Title Silent(S) or Trailer(T)	No. of Copies	Gauge Format	Running Time Minutes	Reason for Cuts	Decision	Country of Origin	Notes Remarks
Christchurch Movie Club Inc./Christchurch International Film Festival	I. T. Harding	GARDEN GLIMPSES OF GREAT BRITAIN	1	8 mm	20.0		Exempt	N.Z.	
Christchurch Movie Club Inc./Christchurch International Film Festival	Yo Mama Productions	JAZZ IN THE CLASSROOM	1	16 mm	15.0		Exempt	U.S.A.	
Christchurch Movie Club Inc./Christchurch International Film Festival	Tony Mortillo	LEGENDS OF DOO WOP	1	16 mm	7.0		Exempt	U.S.A.	
Christchurch Movie Club Inc./Christchurch International Film Festival	University of Southern California	ONLY FOR A MOMENT	1	16 mm	7.0		Exempt	U.S.A.	
Christchurch Movie Club Inc./Christchurch International Film Festival	Manfred Cleis	PARANOIDE ODYSSEE	1	16 mm	5.0		Exempt	West Germany	
Pacer Kerridge Film Distributors Ltd.	James Dearden	Pascal's Island (T. No. 1)	5	35 mm	2.0		GY	U.K.	
Christchurch Movie Club Inc / Christchurch International Film Festival	S. Dellers	SCHNURZ AND SCHNORZ	1	16 mm	5.0		Exempt	Switzerland	
Christchurch Movie Club Inc / Christchurch International Film Festival	University of Southern California	TELL ME	1	16 mm	21.0		Exempt	U.S.A.	
<b>26 October 1989</b>									
Warner Bros Endeavour Films	Tim Burton	BATMAN	2	70 mm	126.5		GA	U.S.A.	
	Gianfranco Di Bosisio	TOSCA	1	35 mm	123.5		GA	Italy, Monaco	Italian dialogue, English subtitles.
<b>27 October 1989</b>									
United International Pictures	Ridley Scott	BLACK RAIN	10	35 mm	127.0		RP16	U.S.A., Japan	Censor's note: content may offend.
Pacer Kerridge Film Distributors Ltd.	Jay Levey	THE VIDIOT FROM U.H.F.	1	35 mm	98.0		GY	U.S.A.	Censor's note: contains coarse material.
<b>30 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	THE ERRANT DAUGHTER	400	VHS	16.5	s. 13.2 (c) sexual violence and anti-social behaviour	R18	U.K.	Censor's note: explicit sexual content may offend.
Columbia Films (NZ) Ltd.	Jonathan Kaplan	Immediate Family (T. No. 1)	1	35 mm	2.5		G	U.S.A.	
Penthouse Film Releasing Organisation S.A.	Unknown	THE MAID UPSTAIRS	400	VHS	18.5	S. 13.2 (c) sexual violence and anti-social behaviour	R18	U.K.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	A PADDLING FOR MEECHE	400	VHS	22.5	s. 13.2 (c) sexual violence and anti-social behaviour	R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	PAIN AND PUNISHMENT	400	Beta	17.0	s. 13.2 (c) sexual violence and anti-social behaviour	R18	U.K.	Censor's note: explicit sexual content may offend.
Columbia Films (NZ) Ltd.	Herbert Ross	Steel Magnolias (T. No. 1)	1	35 mm	1.5		G	U.S.A.	
Pacer Kerridge Film Distributors Ltd.	Ted Kotcheff	WEEKEND AT BERNIE'S	1	35 mm	100.0		RP13	U.K.	Censor's note: contains coarse material.
<b>31 October 1989</b>									
Penthouse Film Releasing Organisation S.A.	Unknown	HANDFUCKER	1	VHS	20.0		R18	West Germany	Censor's note: explicit sexual content may offend. No dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	PUNISH A THIEF	1	VHS	21.5		R18	U.S.A.	Censor's note: explicit sexual content may offend.
Penthouse Film Releasing Organisation S.A.	Unknown	SPIELE IN LEDER	400	VHS	72.0		R18	West Germany	Censor's note: explicit sexual content may offend. German dialogue.
Penthouse Film Releasing Organisation S.A.	Unknown	TANTE DETLEF	400	VHS	78.5		R18	West Germany	Censor's note: explicit sexual content may offend. German dialogue.
Pacer Kerridge Film Distributors Ltd.	Ted Kotcheff	Weekend at Bernie's (T. No. 1)	1	35 mm	2.5		GA	U.S.A.	

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## Queen Elizabeth the Second Arts Council of New Zealand Act 1974

### Appointment to the Queen Elizabeth II Arts Council

Pursuant to section 3 of the Queen Elizabeth II Arts Council of New Zealand Act 1974, the Minister of Arts and Culture hereby appoints Professor Leonard Andaya of Auckland to be

a member of the Queen Elizabeth II Arts Council for a term of office expiring 15 November 1992.

Dated at Wellington this 6th day of December 1989.

MICHAEL BASSETT, Minister of Arts and Culture.

go22630

### Redesignation of Hurunui Community Arts Council

Pursuant to section 32 (i) of the Queen Elizabeth II Arts Council of New Zealand Act 1974, on the recommendation of

the Southern Regional Arts Council, the Queen Elizabeth II Arts Council of New Zealand hereby designates the Hurunui Community Arts Council for the following duly defined area:

All of the Cheviot County, and that part of the Hurunui County contained in the northern section bounded by Garty's Road, Stokes Road, Kowhai River to Mount Grey, due west to the head of the Hurunui and the Harper Pass and north along the Lowry Range and east to the Conway River, to the coast.

This notice revokes the previous notice headed "Designation of Hurunui Community Arts Council" which appeared in the *New Zealand Gazette*, No. 56, page 1331 on 31 March 1988.

Dated at Wellington this 21st day of September 1989.

The Seal of the Queen Elizabeth II Arts Council of New Zealand affixed in the presence of:

[L.S.]

J. PATTRICK, Chair.

C. WHITING, Deputy Chair.

P. QUIN, Witness.

go22871

### Designation of Thames Area Community Arts Council

Pursuant to section 32 (i) of the Queen Elizabeth II Arts Council of New Zealand Act 1974, on the recommendation of the Northern Regional Arts Council, the Queen Elizabeth II Arts Council of New Zealand hereby designates the Thames Area Community Arts Council for the following duly defined area:

That area comprising all the Thames-Coromandel District Council area excepting its Coromandel Riding, its Whangamata Riding and the Whangapaoua District of the Mercury Bay Riding.

This notice revokes the previous notice headed "Designation of Coromandel Peninsula Community Arts Council" which appeared in the *New Zealand Gazette*, No. 71, page 1659 on 26 May 1983.

Dated at Wellington this 21st day of September 1989.

The Seal of the Queen Elizabeth II Arts Council of New Zealand affixed in the presence of:

[L.S.]

J. PATTRICK, Chair.

C. WHITING, Deputy Chair.

P. QUIN, Witness.

go22873

### Designation of Coromandel Community Arts Council

Pursuant to section 32 (i) of the Queen Elizabeth II Arts Council of New Zealand Act 1974, on the recommendation of the Northern Regional Arts Council, the Queen Elizabeth II Arts Council of New Zealand hereby designates the Coromandel Community Arts Council for the following duly defined area:

That area comprising the Coromandel Riding of the Thames Coromandel District Council down to the top of Kirita Hill in the south including the Whangapaoua District.

Dated at Wellington this 21st day of September 1989.

The Seal of the Queen Elizabeth II Arts Council of New Zealand affixed in the presence of:

[L.S.]

J. PATTRICK, Chair.

C. WHITING, Deputy Chair.

P. QUIN, Witness.

go22877

### Designation of Motueka and District Community Arts Council

Pursuant to section 32 (i) of the Queen Elizabeth II Arts Council of New Zealand Act 1974, on the recommendation of the Central Regional Arts Council, the Queen Elizabeth II Arts Council of New Zealand hereby designates the Motueka and District Community Arts Council for the following duly defined area:

The Motueka and Moutere Wards of the Tasman District.

Dated at Wellington this 23rd day of November 1989.

The Seal of the Queen Elizabeth II Arts Council of New Zealand affixed in the presence of:

[L.S.]

J. PATTRICK, Chair.

C. WHITING, Deputy Chair.

P. QUIN, Witness.

go22880

## Justice

### Indecent Publications Act 1963

Decision No. 46/89

Reference No.: IND 12/89

and Decision 7/89

(Explanatory Note)

#### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Playboy Presents 100 Beautiful Women*; *Playboys Book of Lingerie 1988*; *Playgirl*, December 1988; *Genesis Girls/Girls, Winter 1988*; *Gem*, Vol. 30, No. 4, January 1989:

Chairman: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988. Chambers hearing on the 5th day of July 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. F. Ellis for Gordon and Gotch (NZ) Limited. No appearance on behalf of original importer Progressive Mail Order.

#### Supplementary Decision

In the original decision 7/89 issued on 3 May 1989 the publication *Playboy Presents 100 Beautiful Women* was classified as indecent in the hands of persons under the age of 16 years. On page 3 of the decision under the same heading, an application made by Mr Ellis on behalf of the importer, Gordon and Gotch (NZ) Limited, for a series of publications represented as an example by *Playboy Presents 100 Beautiful Women* was considered and granted. On 5 July 1989, Mr Ellis together with M. J. Wotherspoon for the Comptroller of Customs saw me in Chambers and asked whether I would be prepared to clarify that which in that final note might be the cause of some confusion. The decision as promulgated reads:

"The Tribunal accordingly as indicated makes an order that these further editions of *Playboy Presents 100 Beautiful Women* are to be classified as indecent in the hands of persons under the age of 16 years for the same reasons as indicated for the earlier publication and it is likewise

satisfied that it is appropriate that a serial restriction order be made classifying this public as indecent in the hands of persons under the age of 16 years."

The Tribunal's decision was intended to encompass not only the specific publication *Playboy Presents 100 Beautiful Women* but that series of special publications published by Playboy Press of the range exemplified by that particular individual publication. I confirm on behalf of the Tribunal that that was its intention in respect of the section 15A order.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go22671

Decision No. 47/89

Reference No.: IND 29/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Kingsize*, Vol. 19, No. 1; *Kingsize*, Vol. 19, No. 2; *Kingsize*, Vol. 19, No. 3; *Shauna Grant: First Shoot*; *Black Nookie*, Vol. 1, No. 1; *Black Beauties*, Vol. 1, No. 1; *Lusty Black Babes*, Vol. 1, No. 1; *Black Foxes*, Vol. 1, No. 2; *Southern Belles*, Vol. 1, No. 1; *Black & Lusty*, Vol. 5, No. 3; *Black Girl Review*, Vol. 8, No. 3; *Black Girl Review*, Vol. 8, No. 1; *Vanna*, No. 1; *Bouncy Boobs*, Vol. 2, No. 1; *Tops & Bottoms*, Vol. 2, No. 1; *Hot Legs*, Vol. 6, No. 2; *Panty Babes*, Vol. 3, No. 4; *Rear View*, Vol. 1, No. 1; *Rear View*, Vol. 1, No. 2; *Barelegged Babes*, Vol. 1, No. 1; *Barelegged Babes*, Vol. 2, No. 2; *Legs & Asses*, Vol. 6, No. 3; *Legs & Asses*, Vol. 6, No. 4; *Legs & Asses*, Vol. 7, No. 1; *Sweethearts*, Vol. 1, No. 3; *Sweethearts*, Vol. 1, No. 4; *Big Beautiful Bazooms*, No. 1; *Latin Babes*, Vol. 6, No. 3; *Latina Ladies*, Vol. 1, No. 3; *Strip Down*, Vol. 2, No. 1; *Strip Down*, Vol. 3, No. 2; *Oriental Pussies*, Vol. 1, No. 2; *Oriental Erotics*, Vol. 1, No. 1; *Geisha Girls*, Vol. 7, No. 2; *Geisha Girls*, Vol. 7, No. 3; *Geisha Girls*, Vol. 7, No. 4; *Chunky Asses*, Vol. 6, No. 2; *Chunky Asses*, Vol. 6, No. 3; *Chunky Asses*, Vol. 6, No. 4; *Bottom*, Vol. 19, No. 1; *Bottom*, Vol. 19, No. 2; *Bottom*, Vol. 19, No. 3; *Skirts Up*, Vol. 8, No. 2; *Skirts Up*, Vol. 8, No. 3; *Ass Parade*, Vol. 7, No. 1; *Ass Parade*, Vol. 7, No. 2; *Asses Up*, Vol. 4, No. 2; *Asses Up*, Vol. 4, No. 3; *Fanny*, Vol. 17, No. 2; *Fanny*, Vol. 17, No. 3; *Fanny*, Vol. 17, No. 4; *Ass Parade*, Vol. 7, No. 3; *Floppers*, Vol. 5, No. 4; *Floppers*, Vol. 6, No. 1; *Floppers*, Vol. 6, No. 2; *Bouncers*, Vol. 1, No. 2; *Bouncers*, Vol. 1, No. 3; *Black & Beautiful*, Vol. 2, No. 3; *Black & Beautiful*, Vol. 2, No. 4; *Black & Beautiful*, Vol. 2, No. 2; *Hefty Mamas*, Vol. 7, No. 3; *Hefty Mamas*, Vol. 7, No. 4; *Legs Legs Legs*, Vol. 5, No. 3; *Legs Legs Legs*, Vol. 5, No. 4; *Legs Legs Legs*, Vol. 6, No. 1; *Hanging Breasts*, Vol. 7, No. 1; *Hanging Breasts*, Vol. 7, No. 3; *Erect Nipples*, Vol. 6, No. 4; *Erect Nipples*, Vol. 7, No. 1; *Erect Nipples*, Vol. 7, No. 2; *Take It Off*, Vol. 1, No. 1; *Fantastic Women*, Vol. 1, No. 1; *Seductive Superstars*; *Erotic Exotics*, Vol. 1, No. 1; *Personal Pussies*, Vol. 1, No. 1; *Heather Wayne*, Vol. 1, No. 1; *Hanging Out*, Vol. 1, No. 3; *Hot and Pregnant*, Vol. 1, No. 1; *Budding Tits*, Vol. 1, No. 3; *Lusty Legs*, Vol. 2, No. 1; *Asian Erotica*, Vol. 1, No. 1; *Big Busty Brunettes*, Vol. 1, No. 1; *More Than A Handful*, Vol. 2, No. 2; *Bazooms*, No. 1; *Girls Who Have Big Nipples*, Vol. 1; *Fondle*, Vol. 1, No. 2; *Fat Sizzlers*, Vol. 1, No. 1; *Buxom Blondes*, Vol. 1, No. 1; *Busting Out*, Vol. 5, No. 1; *Bawdy Blondes*, Vol. 1, No. 1; *Lonesome Ladies*, Vol. 1, No. 1; *Bitching Brunettes*, Vol. 1, No. 1; *Bitching Blondes*, Vol. 1, No. 1; *Leggy Darlings*, Vol. 1, No. 3; *Big Black Bazooms*; Vol. 1, No. 1; *Big Mamas*, Vol. 2, No. 1; *Ripe & Raunchy*, Vol. 1, No. 1; *Ginger Lynn*, Vol. 1, No. 1; *Cafe Au Lait*, Vol. 1, No. 1; *Snatch*, Vol. 5, No. 2; *Asses Plus*, Vol. 1, No. 1;

*Tip Top*, Vol. 27, No. 1; *Tip Top*, Vol. 27, No. 2; *Tip Top*, Vol. 27, No. 3; *Big Breasted Babes*; *Dangle*, Vol. 1, No. 4; *Bra Busters*, No. 1; *Tasty Tits*, Vol. 1, No. 1; *Peek A Boobs*, Vol. 1, No. 1; *Peek A Boobs*, Vol. 1, No. 2; *Sweet Starlets*, Vol. 2, No. 4; *Sweet Starlets*, Vol. 3, No. 1; *Busty Babes*, Vol. 2, No. 3; *Lusty Busty Babes*, Vol. 1, No. 1; *Strip Tease*, Vol. 8, No. 4; *Strip Tease*, Vol. 9, No. 1; *Strip Tease*, Vol. 9, No. 2; *Strip Tease Fantasies*, Vol. 1, No. 1; *Black & Stacked*, Vol. 1, No. 2; *Black & Stacked*, Vol. 1, No. 1; *Adorable Dolls*, Vol. 1, No. 1; *Sweet Starlets*, Vol. 3, No. 2; *Brazen Blondes*, Vol. 1, No. 1; *Heartbreakers*, Vol. 1, No. 2; *Black Shaved Pussy*, Vol. 1, No. 3; *Shaved Black Babes*, Vol. 1, No. 1; *Allstar Asses*, Vol. 1, No. 1; *Dressed Up*, Vol. 1, No. 3; *Wet Snatch*, Vol. 2, No. 4; *Prick Tease*, Vol. 2, No. 1; *Alluring Angels*, Vol. 1, No. 1; *Shaved Exotics*, Vol. 1, No. 1; *Blonde Pussy*, Vol. 1, No. 3; *Crotches*, Vol. 3, No. 2; *Crotches*, Vol. 3, No. 3; *Hot Wet Pussys*, Vol. 6, No. 3; *Hot Wet Pussys*, Vol. 6, No. 4; *Hot Wet Pussys*, Vol. 7, No. 1; *Tight Pussies*, Vol. 1, No. 1; *Tight Pussies*, Vol. 1, No. 2; *Shaved*, Vol. 14, No. 1; *Shaved*, Vol. 14, No. 2; *Shaved*, Vol. 14, No. 3; *Sexy & Shaved*, Vol. 1, No. 4; *Sexy & Shaved*, Vol. 2, No. 1; *All Star Pussy*, Vol. 1, No. 1; *Anal Babes*, Vol. 5, No. 4; *Assholes*, Vol. 2, No. 2; *Teasers*, Vol. 2, No. 3; *Teasers*, Vol. 2, No. 4; *Split Beavers*, Vol. 6, No. 4; *Split Beavers*, Vol. 7, No. 1; *Split Beavers*, Vol. 7, No. 2; *Hot Foxes*, Vol. 1, No. 1; *Pussy Fingers*, Vol. 1, No. 3; *Playful Pussy*, Vol. 1, No. 1; *Finger Frigging*, Vol. 6, No. 3; *Oriental Pussy*, Vol. 2, No. 2; *Super Hot Shots*, No. 32; *Shaved Pussy Pokers*, Vol. 1, No. 1; *Toy Loving Lesbians*, Vol. 1, No. 2; *Hot Lesbian Lace*, Vol. 1, No. 1; *Lez Lovers*, Vol. 5, No. 2; *Lez Lovers*, Vol. 5, No. 3; *Lez Acts*, Vol. 4, No. 4; *Lez Acts*, Vol. 5, No. 1; *Girls Loving Girls*, Vol. 5, No. 4; *Lesbian Fever*, Vol. 1, No. 3; *Girlfriends*, Vol. 1, No. 1; *Lesbian Dildo Heat*, Vol. 1, No. 1; *Lesbian Girls*, Vol. 7, No. 3; *Lesbian Girls*, Vol. 8, No. 1; *Room-Mates*, Vol. 10, No. 1; *Scissor Sisters*, Vol. 1, No. 1; *Barbiis Babes*, Vol. 1, No. 1; *Lesbian Lust*, Vol. 3, No. 2; *Playful Lesbians*, Vol. 1, No. 1; *Licking Lesbians*, Vol. 6, No. 1; *Licking Lesbians*, Vol. 5, No. 4; *Oriental Lesbian Heat*, Vol. 1, No. 1; *Lickin' Lovin' Lezzies*, Vol. 1, No. 4; *Girl on Girl*, Vol. 1, No. 4; *Black and White Lesbians*, Vol. 1, No. 1; all of the above titles published by Parliament Publications:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs; B. N. Cheeseman of Waverley International 1988 Ltd.

### Decision

These publications were commercially imported through air freight Auckland on 22 May 1989 and were seized by the Collector of Customs. The importer having subsequently disputed forfeiture and publications were referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

All of the publications were produced in the United States of America and published by Parliament Publications. In his submission to the Tribunal on behalf of the Comptroller of Customs Mr Wotherspoon has classified the publications in 2 groups under appendices A and B. In respect of the magazines under appendix A Mr Wotherspoon suggested that although these contain a significant number of photographs which place undue emphasis on the female genitalia with many of the models being posed in what are clearly contrived positions to accentuate that genitalia the Tribunal might consider classifying them as indecent in the hands of persons under the age of 18 years.

Mr Wotherspoon referred to earlier Tribunal decisions

including more recent ones 30/88 and 31/88 where such classifications were given to identical or similar publications. In respect of the remaining group of publications listed under appendix B in his submission, Mr Wotherspoon invited the Tribunal to consider classifying all of these as unconditionally indecent because of the excessive intimacy, the acts of masturbation and genital manipulation by the models portrayed and the emphasis in many of the magazines placed on genital exposure and various aspects of oral and lesbian sexual activities.

Prior to the sitting of the Tribunal Mr Cheeseman had very kindly provided the Tribunal with a lengthy written submission in relation to all of the publications. In respect of what might be called the schedule A publications Mr Cheeseman very helpfully referred to earlier decisions of the Tribunal in respect of titles identical to those before the Tribunal and containing content of a similar kind to the publications now to be reviewed. Mr Cheeseman advised the Tribunal that the importer would be happy to accept an R18 classification for these publications but he sought, in addition, on behalf of the importer a serial order under section 15A of the Act to that effect. In the outcome the Tribunal has not been able to meet that particular request for the reasons which will shortly be outlined. We proposed to deal with all of these publications under 3 particular categories.

1. *Kingsize*, Vol. 19, No. 1; *Kingsize*, Vol. 19, No. 2; *Kingsize*, Vol. 19, No. 3; *Black Nookie*, Vol. 1, No. 1; *Black Beauties*, Vol. 1, No. 1; *Lusty Black Babes*, Vol. 1, No. 1; *Black Foxes*, Vol. 1, No. 2; *Southern Belles*, Vol. 1, No. 1; *Black & Lusty*, Vol. 5, No. 3; *Black Girl Review*, Vol. 8, No. 1; *Black Girl Review*, Vol. 8, No. 1; *Vanna*, No. 1; *Bouncy Boobs*, Vol. 2, No. 1; *Tops & Bottoms*, Vol. 2, No. 1; *Hot Legs*, Vol. 6, No. 2; *Panty Babes*, Vol. 3, No. 4; *Rear View*, Vol. 1, No. 1; *Rear View*, Vol. 1, No. 2; *Barelegged Babes*, Vol. 1, No. 1; *Barelegged Babes*, Vol. 1, No. 2; *Legs & Asses*, Vol. 6, No. 3; *Legs & Asses*, Vol. 6, No. 4; *Legs & Asses*, Vol. 7, No. 1; *Big Beautiful Bazooms*, No. 1; *Latin Babes*, Vol. 6, No. 3; *Latina Ladies*, Vol. 1, No. 3; *Strip Down*, Vol. 2, No. 1; *Strip Down*, Vol. 3, No. 2; *Oriental Pussies*, Vol. 1, No. 2; *Oriental Erotics*, Vol. 1, No. 1; *Geisha Girls*, Vol. 7, No. 2; *Geisha Girls*, Vol. 7, No. 3; *Geisha Girls*, Vol. 7, No. 4; *Chunky Asses*, Vol. 6, No. 2; *Chunky Asses*, Vol. 6, No. 3; *Chunky Asses*, Vol. 6, No. 4; *Bottom*, Vol. 19, No. 1; *Bottom*, Vol. 19, No. 2; *Bottom*, Vol. 19, No. 3; *Skirts Up*, Vol. 8, No. 2; *Skirts Up*, Vol. 8, No. 3; *Ass Parade*, Vol. 7, No. 1; *Ass Parade*, Vol. 7, No. 2; *Asses Up*, Vol. 4, No. 2; *Asses Up*, Vol. 4, No. 3; *Fanny*, Vol. 17, No. 2; *Fanny*, Vol. 17, No. 3; *Fanny*, Vol. 17, No. 4; *Ass Parade*, Vol. 7, No. 3; *Floppers*, Vol. 5, No. 4; *Floppers*, Vol. 6, No. 1; *Floppers*, Vol. 6, No. 2; *Bouncers*, Vol. 1, No. 2; *Bouncers*, Vol. 1, No. 3; *Black & Beautiful*, Vol. 2, No. 3; *Black & Beautiful*, Vol. 2, No. 4; *Black & Beautiful*, Vol. 2, No. 2; *Hefty Mamas*, Vol. 7, No. 3; *Hefty Mamas*, Vol. 7, No. 4; *Legs Legs Legs*, Vol. 5, No. 3; *Legs Legs Legs*, Vol. 5, No. 4; *Legs Legs Legs*, Vol. 6, No. 1; *Hanging Breasts*, Vol. 7, No. 1; *Hanging Breasts*, Vol. 7, No. 2; *Erect Nipples*, Vol. 6, No. 4; *Erect Nipples*, Vol. 7, No. 1; *Erect Nipples*, Vol. 7, No. 2; *Take It Off*, Vol. 1, No. 1; *Fantastic Women*, Vol. 1, No. 1; *Seductive Superstars*; *Erotic Exotics*, Vol. 1, No. 1; *Personal Pussies*, Vol. 1, No. 1; *Heather Wayne*, Vol. 1, No. 1; *Hanging Out*, Vol. 1, No. 3; *Hot and Pregnant*, Vol. 1, No. 1; *Budding Tits*, Vol. 1, No. 3; *Lusty Legs*, Vol. 2, No. 1; *Asian Erotica*, Vol. 1, No. 1; *Big Busty Brunettes*, Vol. 1, No. 1; *More Than A Handful*, Vol. 2, No. 2; *Bazooms*, No. 1; *Girls Who Have Big Nipples*, Vol. 1; *Fondle*, Vol. 1, No. 2; *Fat Sizzlers*, Vol. 1, No. 1; *Buxom Blondes*, Vol. 1, No. 1; *Busting Out*, Vol. 5, No. 1; *Bawdy Blondes*, Vol. 1, No. 1; *Lonesome Ladies*, Vol. 1, No. 1; *Bitching Brunettes*, Vol. 1, No. 1; *Bitching Blondes*, Vol. 1, No. 1; *Leggy Darlings*, Vol. 1, No. 3; *Big Black Bazooms*; Vol. 1, No. 1; *Ripe & Raunchy*, Vol. 1, No. 1; *Cafe Au Lait*, Vol. 1, No. 1; *Snatch*, Vol. 5, No. 2; *Asses Plus*, Vol. 1, No. 1; *Tip Top*, Vol. 27, No. 1; *Tip Top*, Vol. 27, No. 2; *Tip Top*, Vol.

27, No. 3; *Big Breasted Babes*; *Dangle*, Vol. 1, No. 4; *Bra Busters*, No. 1; *Tasty Tits*, Vol. 1, No. 1; *Peek A Boobs*, Vol. 1, No. 1; *Peek A Boobs*, Vol. 1, No. 2; *Sweet Starlets*, Vol. 2, No. 4; *Sweet Starlets*, Vol. 3, No. 1; *Busty Babes*, Vol. 2, No. 3; *Lusty Busty Babes*, Vol. 1, No. 1; *Strip Tease*, Vol. 8, No. 4; *Strip Tease*, Vol. 9, No. 1; *Strip Tease*, Vol. 9, No. 2; *Strip Tease Fantasies*, Vol. 1, No. 1; *Black & Stacked*, Vol. 1, No. 2; *Black & Stacked*, Vol. 1, No. 1; *Adorable Dolls*, Vol. 1, No. 1; *Sweet Starlets*, Vol. 3, No. 2; *Brazen Blondes*, Vol. 1, No. 1; *Heartbreakers*, Vol. 1, No. 2; *Black Shaved Pussy*, Vol. 1, No. 3; *Shaved Black Babes*, Vol. 1, No. 1; *Allstar Asses*, Vol. 1, No. 1; *Dressed Up*, Vol. 1, No. 3; *Wet Snatch*, Vol. 2, No. 4; *Prick Tease*, Vol. 2, No. 1; *Alluring Angels*, Vol. 1, No. 1; *Shaved Exotics*, Vol. 1, No. 1; *Blonde Pussy*, Vol. 1, No. 3; *Crotches*, Vol. 3, No. 3; *Hot Wet Pussys*, Vol. 6, No. 3; *Hot Wet Pussys*, Vol. 6, No. 4; *Hot Wet Pussys*, Vol. 7, No. 1; *Tight Pussies*, Vol. 1, No. 1; *Tight Pussies*, Vol. 1, No. 2; *Shaved*, Vol. 14, No. 1; *Shaved*, Vol. 14, No. 2; *Shaved*, Vol. 14, No. 3; *Sexy & Shaved*, Vol. 2, No. 1; *All Star Pussy*, Vol. 1, No. 1; *Anal Babes*, Vol. 5, No. 5; *Teasers*, Vol. 2, No. 3; *Teasers*, Vol. 2, No. 4; *Split Beavers*, Vol. 6, No. 4; *Split Beavers*, Vol. 7, No. 1; *Split Beavers*, Vol. 7, No. 2; *Hot Foxes*, Vol. 1, No. 1:

The majority of these magazines contain photographs with very little accompanying text and are invariably of single female models. Each of the publications, as their titles suggest, portray a particular theme and they have for example photographs involving large-breasted women or women of a particular race or photographs which concentrate on a particular part of the female anatomy. The Tribunal is satisfied that the pictures are in many cases very crudely displayed, in fact the whole presentation could only be described as coarse and crude. Because of the Tribunal's concern about this particular type of publication, a member of the Tribunal, Ms Barrington, is going to write a supplementary decision to fully express those particular concerns. If the prescription within which the Tribunal has to act contained a provision that material which was demeaning of women could in appropriate cases be considered unconditionally indecent, then a significant number if not all of these publications would receive an unconditionally indecent classification. Within the present prescription available to the Tribunal, and in the light of previous decisions the Tribunal was unable to find that these particular publications were injurious to older readers and accordingly classify each as indecent in the hands of persons under the age of 18 years. We are not prepared to grant a serial restriction order classification as sought by the importer and distributor and the simple reason for that is there are some publications within what might be called schedule A which we list immediately hereunder and which we find for the reasons described to be unconditionally indecent.

2. The following list of publications which come within the Comptroller of Customs' schedule A, we in fact find to be unconditionally indecent and so classify them for the reasons which are briefly stated after each of the volumes named:

*Shauna Grant: First Shoot*—This publication contains on page 3 a number of photographs, although small in size, advertising other magazines which are available and which clearly are the kind that must attract an unconditionally indecent classification. There are also throughout the publication some photographs which indicate genital manipulation and even masturbation of the kind which the Tribunal has previously considered justified such classification.

*Sweethearts*, Vol. 1, No. 3, *Sweethearts*, Vol. 1, No. 4—Both of these publications contain photographs of models engaged in genital manipulation and in the Tribunal's view in some cases, masturbation and those depictions are of a kind that justify the classification of unconditionally indecent.



*Big Mamas*, Vol. 2, No. 1—This publication contains a sequence of a model sexually stimulating herself with a sexual device, some pictures of models who appear to be engaged in masturbation and one photographic sequence under the title "Baby Fat" which carries with it the clear inference that the model displayed is in fact quite a young girl. The Tribunal is satisfied that each of these matters is sufficient of its own to make a classification of unconditionally indecent justified.

*Ginger Lynn*, Vol. 1, No. 1—Again this magazine contains advertisements displaying models from the covers or contents of other magazines which clearly, in the Tribunal's finding, contain depictions which would be injurious to the public good. There is also, in this particular magazine, a presentation of a model in a child-like role and that too causes considerable concern to the Tribunal. For the reasons indicated, this publication is classified unconditionally indecent.

*Crotches*, Vol. 3, No. 2—This publication is similar to most of the others under the Comptroller of Customs' schedule A in that it contains coarse text, contrived poses so as to expose the open genitalia of the female models displayed, but that which causes the majority of the Tribunal to consider that an indecent classification is justified, is the genital manipulation and one particular photograph where the model has engaged in labial piercing. In relation to that aspect the Tribunal has consistently held that such practices are potentially dangerous, particularly to impressionable people and it classifies this particular publication as unconditionally indecent.

*Sexy & Shaved*, Vol. 1, No. 4—Again this publication is similar to the others under the Comptroller's schedule A in that it contains coarse text and contrived posing to expose the open genitalia area of the female models. This particular publication, however, has some aspects of masturbation and the use by one model of the handle of a razor for what seems to be masturbatory purposes. The Tribunal finds this particular publication accordingly unconditionally indecent.

*Assholes*, Vol. 2, No. 2—Again in addition to the coarse text and over exposure of the genitalia in a contrived way, this publication contains elements of masturbation, a dildo and the use of a stiletto heel which indicates to the Tribunal a clear intention to portray not only stimulation but penetration of the vagina by that particular heel. For these reasons the Tribunal classifies this particular publication as unconditionally indecent.

3. *Pussy Fingers*, Vol. 1, No. 3; *Playful Pussy*, Vol. 1, No. 1; *Finger Frigging*, Vol. 6, No. 3; *Oriental Pussy*, Vol. 2, No. 2; *Super Hot Shots*, No. 32; *Shaved Pussy Pokers*, Vol. 1, No. 1; *Toy Loving Lesbians*, Vol. 1, No. 2; *Lez Lovers*, Vol. 5, No. 2; *Lez Lovers*, Vol. 5, No. 3; *Lez Acts*, Vol. 4, No. 4; *Lez Acts*, Vol. 5, No. 1; *Girls Loving Girls*, Vol. 5, No. 4; *Lesbian Fever*, Vol. 1, No. 3; *Girlfriends*, Vol. 1, No. 1; *Lesbian Dildo Heat*, Vol. 1, No. 1; *Lesbian Girls*, Vol. 7, No. 3; *Lesbian Girls*, Vol. 8, No. 1; *Room-Mates*, Vol. 10, No. 1; *Scissor Sisters*, Vol. 1, No. 1; *Barbiis Babes*, Vol. 1, No. 1; *Lesbian Lust*, Vol. 3, No. 2; *Playful Lesbians*, Vol. 1, No. 1; *Licking Lesbians*, Vol. 6, No. 1; *Licking Lesbians*, Vol. 5, No. 4; *Oriental Lesbian Heat*, Vol. 1, No. 1; *Lickin' Lovin' Lezzies*, Vol. 1, No. 4; *Girl on Girl*, Vol. 1, No. 4; *Black and White Lesbians*, Vol. 1, No. 1:

This group of publications are also magazines, but most of them contain photographs of either 2 or more female models in scenes of excessive intimacy or single models in the act of masturbation and genital manipulation. Considerable emphasis is placed on genital exposure and the various aspects of oral sex and lesbian activity. In his written submission to the Tribunal Mr Cheeseman suggested that the titles of the magazines made it quite clear that they were aimed at the lesbian market. In his

personal appearance before the Tribunal Mr Cheeseman advised the Tribunal that further discussions which he had with other members of the importing company now satisfied him that the publications were in fact aimed at the male heterosexual rather than the lesbian market. In the course of his written submission Mr Cheeseman suggested:

"It may well be time for the Tribunal to redefine the broad criteria that it applies in classifying magazines and books in New Zealand and it may well be time that part of that redefinition depictions of a sexual act are not indecent because of the portrayal of the sexual act itself but because there are elements in the photograph or drawing or whatever which are injurious to the public good such as violence, child abuse, bestiality, etc., etc."

At least one member of the Tribunal has indicated a certain sympathy with that submission but the majority of the Tribunal are not at this stage prepared to make such a sweeping change to the criteria under which it appraises the material which comes before it. The Committee of Inquiry into Pornography has heard a considerable amount of evidence in relation to that very matter and it may well be that some statutory alterations to the censorship process may look with some sympathy on that particular submission. I do not wish to speak for any other members of the Tribunal but I can indicate that as chairman I would find it very difficult to accept that there was a justifiable reason to change the principles and precedents upon which the Tribunal has functioned reasonably satisfactorily, I believe, for so many years. The Tribunal finds that all of these publications under this particular subheading are injurious to the public good and are accordingly subject to an unconditionally indecent classification.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22673

Decision No. 48/89

Reference No.: IND 22/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Foxhunt*, Issues 6 and 7; *All Muscle*, Issue No. 2; *Leather Masters*:

*Chairman*: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

*Appearances*: M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer—memorandum of submissions received from G. R. Ireland.

### Decision

These publications were commercially imported through Auckland sea freight on or about 23 February 1989 and were seized with another publication by the Collector of Customs. The importer having disputed forfeiture, the publications were referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

All 4 publications are directed towards the male homosexual and are principally magazines containing photographs of nude male models in a variety of poses with the emphasis on the genitalia.

In respect of *Fox Hunt*, Issues 6 and 7 and *All Muscle*,

Volume 2, Mr Ireland invites the Tribunal to consider issuing a serial restriction order for those publications.

The Tribunal agrees with the Comptroller of Customs that there are some features of these publications which would be injurious to younger readers and accordingly classifies each of these publications as injurious in the hands of persons under the age of 18 years.

The Tribunal having now seen a number of the publications *Fox Hunt* and *All Muscle* are satisfied that Mr Ireland's submission is well made and accordingly the Tribunal, in respect of the publications *Fox Hunt* and *All Muscle*, makes a serial restriction order in terms of section 15A of the Indecent Publications Act 1963 classifying both publications as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22676

Decision No. 49/89

Reference No.: IND 25/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications:  
*Private*, Issues 86, 87, 88:

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer.

### Decision

These publications were privately imported through parcel post at Nelson on 16 March 1989 and were seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publications were referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

These publications are magazines which are produced in Sweden and apparently published 6 times per annum. The contents depict both single model and multiple model scenes of explicit sexual intimacy. Considerable emphasis is placed on genital exposure and the various aspects of sexual activity.

The Tribunal has over the last 15 months seen a number of these publications and in decisions 35/89 and 39/89 the Tribunal classified those particular publications as unconditionally indecent.

The latest issues are no different in their general content to those previously classified by the Tribunal and the Tribunal being satisfied that their content is injurious to the public good classifies each as unconditionally indecent. In addition the Tribunal having before it 3 consecutive volumes of the magazine and having as indicated seen previous copies within the proceeding 18 months is satisfied that it is in the public interest that a serial order should be made and accordingly such an order is made under section 15A of the Indecent Publications Act 1963 classifying these magazines as unconditionally indecent.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22677

Decision No. 50/89

Reference No.: IND 28/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications:  
*Tightropes*, No. 2, January 1983; *Switch Hitting Sauna*; *Sperm Special (Collectors Edition)*; *Hot Shots*; *Hot, Steamin' Holes*:

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer. Written submission received from G. A. Ireland, counsel for the Lawrence Publishing Company.

### Decision

These publications were commercially imported through Auckland in April 1989 and were seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publications were referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

*Hot Shots*; *Hot, Steamin' Holes*; *Tightropes*

These publications are aimed at the male homosexual market and contain a significant number of photographs of 2 or more nude male models in a variety of poses. All of these magazines present a strong emphasis on the male genitalia and there are a number of scenes concentrating on either genital manipulation or anal or oral sex. The Tribunal has on a number of previous occasions found similar publications to be injurious to the public good and classified them as unconditionally indecent and an example of that can be found in decision 22/87. The Tribunal is satisfied that these magazines contain content of the kind which is injurious to the public good and classifies each as unconditionally indecent.

*Switch Hitting Sauna*; *Sperm Special*

These magazines contain a number of depictions of explicit heterosexual and homosexual activity between 2 or more male and female models. Some of these have apparently been taken from recorded video tapes while others are obviously simple photographic sequences. The displays of sexual intimacy are of a kind which the Tribunal is satisfied would be injurious to the public good and classifies each of these publications as unconditionally indecent.

The Tribunal is concerned to note that in respect of the publication *Tightropes*, No. 2 the importer apparently also brought into New Zealand a video cassette of the same name and that video cassette was returned to the importer whereas the magazine was seized and referred to the Tribunal. That fact has been referred to by Mr Ireland in his submission and it is typical of the number of submissions which have been made by Mr Ireland and by other counsel either appearing before or making written submissions to the Tribunal. The Tribunal is very conscious of the fact that it cannot operate in a vacuum and it is well aware of the nature of video cassette recordings which are available either for general or restricted circulation. Any observer of the decisions of the Tribunal would have noticed that over the years the benchmark of acceptability has been moved and is in fact constantly moving but the members of the Tribunal are satisfied that the interpretation which they give to the legislation under which they have their authority to make such classifications, as interpreted not only by the Tribunal in its precedent decisions but by the High Court and the Court of Appeal, both justify and require the classification which these particular publications have been given.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22678

Decision No. 51/89

Reference No.: IND 27/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication:  
*Drummer*, No. 127, April 89:

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer.

### Decision

This publication was commercially imported through parcel post Auckland on 4 April 1989 and was seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publication was referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

In his submission to the Tribunal Mr Wotherspoon submits that this particular issue contains matters which might concern the Tribunal and in particular an article entitled "Shadow Soldiers" on pages 24 through to page 35 with its concentration on bondage, violence and brutality.

Previous issues of this magazine have been classified as unconditionally indecent by the Tribunal and in decision 21/89 the Tribunal gave such a classification and a 2-year serial restriction order in terms of that classification from 18 May 1989. This particular issue of *Drummer*, having been imported prior to the restriction order being in force, has been submitted to the Tribunal under the provisions of section 14 of the Indecent Publications Act 1963. The Tribunal is satisfied that this publication contains material which is injurious to the public good and classifies it as indecent.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22679

Decision No. 52/89

Reference No.: IND 26/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Iron Maiden Mother; A Librarian's Training; Two Daughters to Torture; A Mother Like No Other; Mom Got it Both Ways; Family Favourites; The Urge Mothers Have; A Mothers Nature; My Hot Sucking Mom; Horse Hungry Mother; Moms Loving Niece; Oooh! Mommy Dearest; A Peek at the Neighbors*. Publisher: Greenleaf Classics Inc. (U.S.A.):

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer.

### Decision

These publications were privately imported through Auckland on 11 April 1989 and having been seized by the Collector of Customs and the importer having disputed forfeiture they have been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

These paperback publications pose under the guise of novels. They each are approximately 150 pages in length and are printed in the United States of America by Greenleaf Classics Incorporated. All of the books are similar in presentation and their content is of a graphic sequence of sexual encounters which cover a wide range of explicit sexual activities including incest, sexual relations between humans and animals, sex with minors, bondage, and a number, in some cases, of extremely violent rape scenes.

The Tribunal has previously considered similar material and has never been in any doubt that it represents the very lowest form of hardcore pornographic literature and that it is of the kind which would clearly be injurious to the public good.

The Tribunal classifies each of these publications as unconditionally indecent.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22680

Decision No. 53/89

Reference No.: IND 7/89  
and Decision 24/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication:  
*Advocate, 21st Birthday*.

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs. Written submissions by G. R. Ireland, counsel for the Lawrence Publishing Company NZ Limited.

### Supplementary Decision

At its hearing on 26 April 1989 the Tribunal had reached a decision in relation to this publication, but unfortunately it had been overlooked that there was a memorandum of submissions on the file presented by Mr Ireland on behalf of the Lawrence Publishing Company NZ Limited. A decision to that effect was issued on 18 May 1989 and all of the members were then circulated a copy of Mr Ireland's submission.

This publication was part of a commercial importation by air freight through Auckland in December 1988. The Collector of Customs having seized the publication, the importer subsequently disputed forfeiture and the publication was referred to the Tribunal for classification prior to commencement of condemnation proceedings pursuant to the Customs Act 1966.

In his submission to the Tribunal on behalf of the Comptroller of Customs, Mr Wotherspoon suggested that an age restriction of indecent in the hands of persons under the age of 18 years may be appropriate for this magazine. That which caused the Tribunal some concern in relation to this particular publication was a small feature dealing with bondage and containing some drawings of a particularly objectionable kind in relation to that topic. The end result is that the Tribunal has reached the conclusion that, looking at the overall content of the magazine, the recommendation by the Comptroller and supported by Mr

Ireland on behalf of the importer would suffice. Accordingly, this publication is classified as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22681

Decision No. 54/89

Reference No.: Dec. 14/89  
(Supplementary IND 1/89)

### Before the Indecent Publications Tribunal

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

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs. Written submissions by general manager, Double Day New Zealand Limited—importer.

### Supplementary Decision

As indicated in the original decision 14/89, only 2 members of the Tribunal had had the opportunity of reading this publication and a final decision in relation to it had to be deferred until the next hearing of the Tribunal, which took place on 5 July 1989.

This publication was commercially imported through Auckland sea freight on or about 21 November 1988 and was seized with another publication by the Collector of Customs. The importer having subsequently disputed forfeiture, the publication was referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

In his submission, on behalf of the Comptroller of Customs, Mr Wotherspoon suggested to the Tribunal that the publication was well produced in the sense that it was a good quality paper and had a professional presentation. The book is written in the style of a nineteenth century erotic novel and is the alleged account of the sexual activities of 2 males and a female. The publication is written anonymously. There are certain aspects of the book which cause the Tribunal, as it did the Comptroller, concern and they are in particular the references to homosexual rape of a minor, incest and sex between minors. Despite those features, the Comptroller had suggested to the Tribunal that a classification as indecent in the hands of younger readers would probably be appropriate.

All of the members now having read this publication find that they agree with the Comptroller's recommendation and classify this particular publication as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22682

Decision No. 55/89

Reference No.: Dec. 32/89  
(Supplementary Decision)  
IND 61/88

### Before the Indecent Publications Tribunal

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

*Best of Escort*, No. 11; *Escort*, Vol. 7, No. 13; *Escort*, Vol. 7, No. 12; *Escort*, Vol. 7, No. 11; *Escort*, Vol. 7, No. 9; *Escort*, Vol. 7, No. 7; *Escort*, Vol. 7, No. 4; *Escort*, Vol. 6, No. 4; *Escort*, Vol. 6, No. 3:

Chairman: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988. Chambers hearing on the 5th day of July 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. F. Ellis for Gordon and Gotch Limited. No appearance on behalf of original importer Progressive Mail Order.

### Supplementary Decision

As indicated in decision No. 32/89, issued on 18 May 1989, Mr Ellis who was then appearing for Gordon and Gotch and not for the importer requested the Tribunal to consider making a serial restriction order in respect of this particular publication. In the original decision the Tribunal stated that it would defer the question of making a serial order until the first meeting of the Tribunal in 1989.

On the 5th day of July Mr Ellis and Mr Wotherspoon appearing on behalf of the Comptroller of Customs both saw me in Chambers and raised the question of the application for the serial restriction order. Mr Wotherspoon supported the making of such an order and I accordingly referred the matter back to the members of the Tribunal who are listed on this decision and who were at that time sitting at Wellington and considering decisions to be made following the hearing at Wellington on 5 July.

Mr Ellis provided the Tribunal with additional copies of the publication *Escort* and after further considering those publications the Tribunal is now satisfied that the requirements in order to qualify for the making of a section 15A order have been complied with. Accordingly in respect of the publications before the Tribunal at its hearing in Auckland on 8 December 1988 and the subsequent copies produced for its consideration, the Tribunal makes an order in terms of section 15A of the Indecent Publications Act 1963 classifying this particular publication as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22685

Decision No. 56/89

Reference No.: IND 15/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Fancy's Leather and Vinyl Fashions*; *Bizarre Fashions*:

Chairman: Judge R. R. Kearney.

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

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

Appearances: M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer.

### Decision

These publications were privately imported at Hamilton in January 1988 and seized by the Collector of Customs. The importer having subsequently disputed forfeiture, the publications were referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

These publications are advertising catalogues for the Kayser

Novelty Company of Australia, a company which apparently sells exotic leather and vinyl clothing, mainly manufactured for women.

There are some aspects of that publication that cause the Comptroller of Customs some concern. Those relating to displays of bondage items. The Tribunal having looked at the totality of the productions has reached the conclusion that although the bondage elements are a matter of concern they are not displayed in such a way as to be injurious to the public good and accordingly in respect of both publications the Tribunal classifies them as not indecent.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
9022686

Decision No. 57/89

Reference No.: IND 6/87

IND 22/87

IND 20/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: A. *PFIQ*, Issues 12, 15, 20, 26 and 27; B. Issues No. 3, *Spring 1978*; No. 4, *Summer 1978*; No. 1, *October 1977*; C. *FQ*, Vol. 1, No. 3 and 4; *PFIQ*, Issue 5 and Issue 8; D. *FQ* Issue 6:

These publications came in for hearing for 3 separate sittings of the Indecent Publications Tribunal as follows:

#### A and B

*Chairman:* Judge R. R. Kearney.

*Members:* H. B. Dick, R. Barrington, A. J. Graham and K. A. R. Hulme.

Hearing at Wellington on the 11th day of December 1987.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of either importer. Written submissions subsequently received from one of importers.

#### C

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 14th day of April 1988.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance on behalf of importer. Submissions made by Bill Logan on behalf of Gay Task Force.

#### D

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance for or on behalf of importer.

#### Decision

The publications (A) were a private importation through parcels post Christchurch in November 1986. Publications (B) were also imported through parcels post Christchurch by a private importer in December 1986. The publications (C) were privately imported in 2 separate shipments through the Port of Auckland in September 1987 with the exception of Issue 8 which was imported through the Port of Invercargill in September 1987. The publication (D) was imported through Auckland parcels post in September 1986.

In decision No. 1035 issued on 5 October 1982 *PFIQ*,

quarterly issue 12, folio No. 3 and *Pin Pals PFI Roster*, No. 12 were considered by the Tribunal and in a brief decision the Tribunal classified each of them as indecent and the comment was made "they have no artistic merit and are certainly injurious to the public good. Some of the illustrations might well induce some form of experiment, with result in physical or even fatal injury." In decision 20/84 issued on 8 November 1984 the Tribunal considered *PFIQ*, Issues Vol. 11 and 14 and in that decision the Tribunal repeated the comments made in decision No. 1035 and classified those issues as indecent.

*PFIQ* is an abbreviation for Piercing Fans International Quarterly and *FQ* an abbreviation for Foreskin Quarterly stated to be the Official Journal of the Uncircumcised Society of America.

All of these publications contain a significant photographic content relating to genital piercing and adornment together with photographs of piercing and adornment of other parts of the anatomy and *PFIQ* publications contain photographs and articles relating to what the Tribunal terms genital mutilation. The members of the Tribunal are satisfied that these publications can properly be categorised as fetish publications and at each of the hearings of the Tribunal in respect of all of the above publications the Tribunal members have been unanimous that the material contained in the publications is injurious to the public good for the same reason as that expressed by the earlier decisions of the Tribunal No. 1035 and 20/84.

The Tribunal has deferred making decisions in respect of these earlier hearing for a number of reasons including the giving of an opportunity to the various importers to provide further information to the Tribunal in relation to the publications; the giving of the opportunity to individual importers to show the Tribunal that they were engaged in legitimate research for works of scholarship in respect of these publications and the material portrayed therein; the giving of the opportunity for various importers and others to make submissions to the Tribunal in respect of these publications. As indicated in the heading, Bill Logan of Gay Task Force gave evidence before one hearing of the Tribunal and he indicated to the Tribunal that body piercing and mutilation of the kind portrayed was of interest to a very small group of homosexual men and that it was highly unlikely that any of them would involve themselves in genital mutilation of the kind which is featured in some of the magazines. Mr Logan indicated that there would be a very small market for these publications and that they were unlikely to appeal to any other than those who had a special and unusual interest in the topic.

When the Tribunal met in Auckland in December 1988 it took the opportunity to meet representative members of the male homosexual community in that city and it discussed with one of those persons its concern about the publications *FQ* and *PFIQ*. That person also indicated to the members of the Tribunal that there were very few members of the homosexual community who had any interest in this type of publication and he suggested to the members of the Tribunal that those who did were as previously stated by Mr Logan, most unlikely to involve themselves in genital mutilation.

One of the importers has in fact made a significant number of submissions to the Tribunal and has very kindly made available to the Tribunal extracts from various publications in relation to body marking, tattooing, piercing, adornment and related matters. The Tribunal has on a number of occasions invited that particular importer to provide the Tribunal with information relating to the nature of the research which he was undertaking, his scholarship or professional standing in relation to the study of these particular topics but unfortunately the Tribunal has not received information of a kind which would justify that particular importer being given a special opportunity to import and retain these publications.

As indicated earlier in this decision, the Tribunal following each of its meetings and consideration of material presented

has reached the conclusion that a classification of unconditionally indecent should apply because of the real risk, as the members of the Tribunal see it, that some unsophisticated person might well try to emulate some of the mutilation and piercing illustrated and outlined in the publications, with tragic results. The Tribunal accepts however that there may well be people in the community with a genuine scholastic interest in conducting research into the topics of body piercing, mutilation and adornment and it has finally reached a conclusion that there should be a classification which would not inhibit that scholastic research.

Section 10 of the Indecent Publications Act 1963 gives to the Tribunal the function of classifying publications as indecent unless their circulation is restricted to specified persons or classes of persons or unless used for a particular purpose. Acting on the powers given to the Tribunal in terms of that function, the Tribunal makes the following classification in respect of all of these publications:

That each of these publications is classified as unconditionally indecent except in the hands of persons who satisfy the Comptroller of Customs that they have a genuine scholastic or research interest in the material which is the principal subject of these publications. The Tribunal also makes a serial order in terms of section 15A of the Indecent Publications Act 1963 in exactly the same terms in respect of the publications *FQ* and *PFIQ*.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22688

Decision No. 58/89

Reference No.: IND 32/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication:  
*Cummin' Up*, Vol. 1, No. 1, March 1989:

*Chairman:* Judge R. R. Kearney.

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

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of the importer. Written submission by G. A. Ireland, counsel for the Lawrence Publishing Company.

### Decision

This publication was one of a number commercially imported through Auckland in April 1989 and seized by the Collector of Customs. The importer having subsequently disputed forfeiture this publication was referred to the Tribunal for classification prior to commencement of condemnation proceedings pursuant to the Customs Act 1966.

The magazine is one aimed at the male homosexual market and consists principally of photographs of 2 or more nude male models in a variety of poses. The photographs have a strong emphasis on the male genitalia and some of the scenes concentrate on either genital manipulation or anal and oral sex. The Tribunal has previously classified similar publications as unconditionally indecent and it is satisfied that this publication is injurious to the public good and accordingly classifies it as unconditionally indecent.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22689

Decision No. 60/89

Reference No.: IND 30/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *A Young Women's Guide to Sex; A Young Man's Guide to Sex*:

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1987.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer.

### Decision

These publications were commercially imported through Auckland sea freight on 27 April 1989 and were seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publications were referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

These publications are sex manuals written by authors Jay Gale and Jacqueline Boss who are reputedly well qualified to provide authoritative guidance in this area.

Both publications are similar in content and they include articles on sexual relationships, contraception, sexually transmitted diseases, aids, sexual responsibility and safe sex. The Tribunal members agree with the Comptroller of Customs in the submission presented by Mr Wotherspoon, that the publications are well written and informative with material which may assist the average member of society. The Tribunal further agrees with Mr Wotherspoon that the Contraception, Sterilisation and Abortion Act 1977 having restricted the age at which advice can be given on contraception to persons under the age of 16 years, these 2 publications must receive a classification of indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22693

Decision No. 61/89

Reference No.: IND 22/88  
(Supplementary Decision)

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Penthouse Forum*, Issues January, April, May 1988; *Genesis*, Issues March, April, May 1988; *Gallery*, Issues March, May 1988; *Park Lane*, No. 17; *Parade*, Issues 72, 75, 76, 1988; *Parade Winter Special 1987*; *Glamour Girls*, Issues 11, 12, 13; *Mayfair*, Vol. 22, No. 8, Vol. 22, No. 11; *The Best of Mayfair*, No. 7; *Penthouse*, May 1988, Vol. 9, No. 5:

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, G. F. Ellis on behalf of publishers and on behalf of Gordon and Gotch (NZ) Limited, the New Zealand importer and distributor.

**Supplementary Decision**

In decision 33/88 the Tribunal classified the *Mayfair* publications as indecent in the hands of persons under the age of 18 years. In that decision the Tribunal stated:

"in this publication there is a content which concerns the Tribunal, and it is not at this stage prepared to make a serial restriction order but would be so prepared if the publishers, importers and distributors agreed to a condition that the publication be shrink wrapped."

Since that decision which was presented on 3 November 1988 the Comptroller of Customs and Mr Ellis have made available to the Tribunal subsequent copies of *Mayfair* and the Tribunal has given further consideration to the request for a section 15A serial restriction order which is now supported by the Comptroller of Customs. Having considered these further issues of the publication the Tribunal is satisfied that it is appropriate that such an order be made and accordingly in respect of the serial publication *Mayfair* a restriction order is made classifying it as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

\*Vol. 23, No. 9, 10, 11 and 12; Vol. 24, No. 1, 2, 3, 4 and 5.  
go22695

Decision No. 2/89

Reference No.: IND 15/89

**Before the Indecent Publications Tribunal**

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Genesis*, Vol. 16, No. 3, October 1988; *Genesis*, Vol. 16, No. 4, November 1988; *Videx Vixens, Winter 1988 (Best of Genesis)*:

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

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

**Decision**

*Genesis*, Vol. No. 3, October 1988 and Vol. 16, No. 4, November 1988

Contemporaneous with this decision the Tribunal has issued a decision in respect of the *Genesis* publications of November and December 1985, January and August 1986, March, April, August and November of 1987 and December and June of 1988 declaring those publications to be indecent in the hands of persons under the age of 18 years and at the same time it has made a serial restriction order in respect of the publication *Genesis* that that publication is indecent in the hands of persons under the age of 18 years. The Tribunal accordingly in respect of these publications makes the same decisions declaring both to be indecent in the hands of persons under the age of 18 years and that the publication *Genesis* be the subject of the issue of a serial restriction order declaring it to be indecent in the hands of persons under the age of 18 years.

*Videx Vixens, Winter 1988 (Best of Genesis)*

This publication together with the 2 numbers of *Genesis* referred to above was commercially imported through Auckland in November 1988 and seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publications were all referred to the Tribunal for classification prior to the commencement of condemnation

proceedings pursuant to the Customs Act 1966. In addition to a number a photographic sequences of naked women this magazine as its name suggests contains sequences of what might be called the x-rated videos of the kind which has previously caused the Tribunal concern in respect of the publication of the magazine *Genesis*. Contemporaneous with this decision is a decision as indicated above granting a serial restriction order in respect of the magazine *Genesis* on the publishers undertaking to overprint the x-rated video sequences in its magazines in such a way as to mask that material. Because of the number of such sequences contained in this particular publication the Tribunal is satisfied that the publication is injurious to the public good and classifies it as unconditionally indecent.

Dated at Wellington this 1st day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22701

Decision No. 3/89

Reference No.: IND 10/89

**Before the Indecent Publications Tribunal**

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Friends and Lovers, Spring 1989*:

*Chairman:* Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

*Appearances:* M. J. Wotherspoon for Comptroller of Customs, G. F. Ellis on behalf of importer Gordon & Gotch (NZ) Ltd.

**Decision**

This publication was commercially imported through parcels post at Auckland in December 1988 and was seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This publication is made up mainly of a collection of photographs from the Amateur Erotic Photo Contest which is featured each month in the *Genesis* and *Gallery* magazines. The Tribunal has previously issued a serial restriction order for *Gallery* classifying it as indecent in the hands of persons under the age of 18 years in decision No. 33/88. In a decision being issued contemporaneously with this decision the Tribunal has issued a serial restriction order for *Genesis* classifying it as indecent in the hands of persons under the age of 18 years. Mr Ellis submitted to the Tribunal that an R18 classification is warranted for this particular publication and he also seeks a serial restriction order in terms of section 15A of the Act likewise classifying all publications under this series as indecent in the hands of persons under the age of 18 years.

The Tribunal is satisfied that there is material in this publication which would be injurious to younger readers and accordingly classifies it as indecent in the hands of persons under the age of 18 years. The Tribunal is also satisfied that there is a consistency in the publication of this particular magazine of such a nature as to justify the making of the serial restriction order. Accordingly in terms of section 15A of the Indecent Publications Act the Tribunal issues a serial restriction order classifying this particular publication *Friends and Lovers* as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 1st day of May 1989.

R. R. KEARNEY, Chairman.  
 Indecent Publications Tribunal.  
 go22702

Decision No. 4/89

Reference No.: IND 53/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Gem*, Vol. 30, No. 3 (November 1988):

Chairman: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. F. Ellis, counsel for publishers and distributors.

### Decision

This magazine was commercially imported through parcels post at Auckland on or about 7 September 1988 and it was subsequently seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publication was referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The magazine consists essentially of photographs which have as their theme large breasts. The photographs are all of single female models but there is as mentioned by the Comptroller of Customs in Mr Wotherspoon's submission an emphasis on genitalia in a number of the photographs. Previous issues of this publication have been classified as indecent in the hands of persons under the age of 18 years in decisions 6/86 and 46/88 and both Mr Wotherspoon and Mr Ellis request that the Tribunal grant this particular publication that same classification.

In addition to that submission Mr Ellis also asked the Tribunal to consider granting a serial order in respect of the publication, it now having had those 3 particular issues the subject of the earlier decisions and this decision before it for consideration.

The Tribunal is unanimous in its decision that this particular issue should be given a classification of indecent in the hands of persons under the age of 18 years as clearly it contains material which would be injurious to younger readers. That which caused the Tribunal concern was whether the publication warranted a serial order in terms of section 15A of the Indecent Publications Act. There are aspects of the magazine which have been of concern to the Tribunal and the Tribunal does not find that there is such a consistency in the material published as would enable it at this time to grant the serial order sought. The Tribunal would be happy to reconsider that particular application when further copies of the publication are available for consideration by the Tribunal.

As earlier indicated the Tribunal classifies this particular edition of the publication *Gem* as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 3rd day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
 go22704

Decision No. 5/89

Reference No.: IND 55/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs

for a decision in respect of the following publications: *Friction*, November 1988; *The Best Colt Men*, Issue 1:

Chairman: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of September 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. A. Ireland, counsel for the Lawrence Publishing Company (NZ) Ltd.

### Decision

These publications were commercially imported in September of 1988 through the port of Auckland. The Collector of Customs at Auckland seized these issues and the importer having subsequently disputed forfeiture the publications have been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

#### *The Best Colt Men*, Issue 1

This publication is similar to other *Colt* publications and consists of photographs of nude or semi-nude males and there is very little text. In decision 34/88 of 14 October 1988 the Tribunal issued a serial restriction order ruling that all *Colt* publications are indecent in the hands of persons under the age of 18 years. This particular issue was however imported prior to the serial restriction order coming into force and accordingly is not covered by that order. The Tribunal is satisfied that the publication contains material which would be injurious to younger readers and classifies it as indecent in the hands of persons under the age of 18 years.

#### *Friction*, November 1988

In respect of this publication Mr Ireland on behalf of the importer requests that consideration be given by the Tribunal to granting a serial restriction order within the age restriction of 18 years. In addition to this particular publication the Tribunal also had before it the December 1988 issue and the same request has been made by Mr Ireland in respect of that particular file that a serial order be granted.

The Tribunal finds no difficulty in reaching its unanimous decision that both publications of *Friction* before it contain material which would be injurious to younger readers and accordingly it classifies this particular edition of November 1988 as indecent in the hands of persons under the age of 18 years. The Tribunal has given very careful consideration to Mr Ireland's request for a serial restriction order but it is not satisfied that there is a consistency in the publication of the kind which would justify the making of such an order at this time. There are some aspects for example of the November 1988 which cause the Tribunal concern and these in particular relate to the drawings which appear throughout the publications. Accordingly the application for the serial order is refused.

Dated at Wellington this 3rd day of May 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
 go22705

Decision No. 6/89

Reference No.: IND 4/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Golden Girls*, No. 5; *Bra Busters*, No. 2; *Naked Nymphs*, *Oui*, April 1974; *Oui*, January 1975; *Gem*, October 1986; *Gem*, April 1988; *Joy Stickers*, No. 5; *Genesis*, November 1985; *Genesis*, December 1985; *Genesis*, January 1986; *Genesis*, August 1986; *Genesis*, March 1987; *Genesis*, April



1987; *Genesis*, August 1987; *Genesis*, November 1987; *Genesis*, February 1988; *Genesis*, June 1988; *Oriental Kittens*, Vol. 3, No. 2; *Oriental Kittens*, Vol. 4, No. 3; *Oriental Delight*, No. 11, October 1982; *Oriental Delight*, Vol. 15, November 1984; *Black and Tan*, Vol. 4, No. 1, August 1977; *Hong Kong Hookers*, No. 4, 1981; *Asian Dolls*, No. 5, February 1986; *China Lady*, No. 1, 1983:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. Ellis for Gordon and Gotch (NZ) Ltd. No appearance on behalf of importer.

### Decision

These publications were either imported through the port of Auckland or seized at the importers private address or his second-hand booksellers shop in or about the month of August 1988. The Collector of Customs having seized these publications the importer has subsequently disputed forfeiture and the publications have been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Mr Ellis, counsel for Gordon and Gotch (NZ) Ltd., advised the Tribunal that he wished to be heard in respect of the publications *Gem* and *Genesis* which appear in the list of matters subject for consideration by the Tribunal on this particular file. For reasons which will later become obvious we deal with those particular publications at the end of this decision.

Some of the publications were quite modest in the presentation of the naked female figure but they nevertheless were of a nature which would be in the Tribunal's decision injurious to younger readers. For each of the following publications the Tribunal has granted a classification of indecent in the hands of persons under the age of 16 years.

*Golden Girls*, No. 5.

*Bra Busters*, No. 2.

*Naked Nymphs*.

The publications *Oui*, April 1974 and *Oui*, January 1975 are as indicated by their date of issue old publications and the Tribunal is satisfied they do contain material of a kind which would be injurious to younger readers and classifies each of these as injurious to persons under the age 18 years. For the same reason the Tribunal classifies the following 2 publications as indecent in the hands of persons under the age of 18 years.

*Joy Stickers*, No. 5.

*Black and Tan*, Vol. 1, No. 4, August 1977.

The Tribunal classifies the following list of publications as unconditionally indecent for the reasons briefly stated hereunder.

*Oriental Kittens*, Vol. 3, No. 2.

*Oriental Kittens*, Vol. 4, No. 3.

*Oriental Delight*, No. 11, October 1982.

*Oriental Delight*, No. 15, November 1984.

*Hong Kong Hookers*, Vol. 4, 1981.

*Asian Dolls*, No. 5, February 1986.

*China Lady*, No. 1, 1983.

These 7 publications depict nude or near naked oriental female models with many of the photographs showing an explicit genital emphasis. The magazines contain verbal text and very little which could be considered of a redeeming nature. The books depict models in poses of masturbation and some of the issues shows models either inserting or using sexually stimulating articles in their vagina.

*Gem*, October 1986 and *Gem*, April 1988

In addition to those 2 volumes of *Gem* the Tribunal had before it at this sitting under file No. 12/89, *Gem*, Vol. 30, No. 4, January 1989. Mr Ellis advised the Tribunal that these copies of *Gem*, although not specifically imported by his client, would have previously been distributed under what was an informal classification of indecent in the hands of persons under the age of 18 years. That was a procedure which prevailed until early in 1988 when the Customs Department's attention was drawn to the fact that it had no power to give informal classifications, only to refer matters which might require classification to the Tribunal for that purpose. Mr Ellis submitted to the Tribunal that it had now seen sufficient copies of *Gem* to enable it to make a serial restriction order in terms of section 15A of the Indecent Publications Act 1963. Mr Wotherspoon advised the Tribunal that the Comptroller of Customs would not oppose the making of such an order if the Tribunal considered that appropriate.

The Tribunal is satisfied that there is material in each of publications of *Gem* before it at this sitting of a nature which would be injurious to younger readers and classifies each of these publications as indecent in the hands of persons under the age of 18 years. The Tribunal is also satisfied that Mr Ellis is correct in his submission that there is such a consistency of production in respect of this magazine that it should be granted a serial restriction order. The Tribunal accordingly issues a restriction order in respect of the serial publication of the magazine *Gem*. That serial restriction order classifies each such publication as indecent in the hands of persons under the age of 18 years.

### Genesis

In addition to the publications under this particular file 4/89 the Tribunal had also had before it *Genesis*, Vol. 16, No. 3, October 1988 and *Genesis*, Vol. 16, No. 4, November 1988, under file 15/89 for which a decision will later be issued.

As Mr Ellis and his client Gordon and Gotch (NZ) Ltd. and the American publishers of the magazine have been aware for some time, the Tribunal has been concerned about one particular segment of this publication. That segment is a short sequence of photographs with a small piece of accompanying text dealing with video reviews or extracts from such videos. That section contains pictures of heterosexual and lesbian sexual activity and the Tribunal has previously indicated that it would not be prepared to grant a serial restriction order for that publication because of the continued inclusion of the video section.

In December 1988, Mr Ellis confirmed to the Tribunal that the publishers had very responsibly indicated that they were prepared to overprint the video section which was a cause of concern to the Tribunal in such a way as to effectively mask its content. In the light of that undertaking Mr Wotherspoon has advised the Tribunal that the Comptroller of Customs would support the making of a serial restriction order in terms of section 15A.

The Tribunal is satisfied that the publication *Genesis* contains material which would be injurious to younger readers and accepting that the undertaking will be carried out within a matter of months by the publisher, it classifies each of the editions before it at this meeting and outstanding from its December meeting, as indecent in the hands of persons under the age of 18 years. The Tribunal for the same reason, is satisfied that the publication can now be granted a serial restriction order in terms of section 15A of the Indecent Publications Act 1963, and it classifies the publication *Genesis* in terms of that section as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 3rd day of May 1989.

R. R. KEARNEY, Chairman.  
 Indecent Publications Tribunal.  
 go22707

Decision No. 7/89  
 Reference No.: IND 12/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Playboy Presents 100 Beautiful Women*, *Playboys Book of Lingerie*, 1988, *Playgirl*, December 1988, *Genesis Girls/Girls*, Winter 1988, *Gem*, Vol. 30, No. 4, January 1989:

**Chairman:** Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

**Appearances:** M. J. Wotherspoon, for Comptroller of Customs., G. Ellis, for importer Gordon and Gotch (NZ) Ltd.

### Decision

#### *Playboy Presents 100 Beautiful Women*

This is a magazine which consists largely of photographs of single female models some who are in the nude but the majority are partially clad. The Tribunal finds that this publication is discreet and modest in comparison with most of the material which comes before the Tribunal for consideration but nevertheless that it contains some material of a kind that could be injurious to younger readers. The Tribunal accordingly classifies this publication as indecent in the hands of persons under the age of 16 years.

#### *Playboys Book of Lingerie*, November/December 1988

In addition to this publication the Tribunal has had before it other issues of a sufficient number to consider a serial restriction order and such an order is requested by Mr Ellis on behalf of the importer and supported by the Comptroller of Customs. The Tribunal finds that this publication is also modest and discreet in comparison with most others and that it too presents the single female model mostly in a state of partial undress and as would be anticipated from the title mostly wearing some form of lingerie. The Tribunal is satisfied that this publication contains some material which would be injurious to younger readers and classifies it as indecent in the hands of persons under the age of 16 years. The Tribunal is also satisfied that it is appropriate that a serial restriction order be made in respect of this publication in terms of section 15A of the Indecent Publications Act 1963 and in terms of such a serial restriction order classifies all such publications as indecent in the hands of persons under the age of 16 years.

#### *Playgirl*, December 1988

This publication contains material which in the view of the Tribunal would be injurious to younger readers and classifies it as indecent in the hands of persons under the age of 18 years.

#### *Gem*, Vol. 30, No. 4, January 1989

In a decision issued contemporaneously with this decision the Tribunal has classified *Gem*, October 1986 and *Gem*, April 1988, as indecent in the hands of persons under the age of 18 years and made a serial restriction order to the same effect. For the same reasons the Tribunal classifies this particular volume as indecent in the hands of persons under the age of 18 years and likewise makes a serial restriction order in respect of the publication *Gem* declaring that publication to be indecent in the hands of persons under the age of 18 years.

#### *Genesis Girls/Girls*, Winter 1988

Mr Ellis on behalf of the importer has invited the Tribunal to consider the granting of a serial restriction order as this

particular publication is one of a series, a number of which the Tribunal has been able to consider.

The Tribunal considers that this magazine has material in it which would be injurious to younger readers and classifies it indecent in the hands of persons under the age of 18 years. The Tribunal is likewise satisfied that it is appropriate that a serial restriction order be made and accordingly in terms of section 15A of the Indecent Publications Act 1963, makes a serial restriction order declaring this publication printed as a serial publication to be indecent in the hands of persons under the age of 18 years.

#### *Playboy Presents 100 Beautiful Women*

In addition to the publication which was the subject of application under IND. 12/89, Mr Ellis made available to the Tribunal others in this which is a series of as he describes them as "one shots" with the same title. Mr Ellis with the support of Mr Wotherspoon on behalf of the Comptroller of Customs seeks an interim restriction order in terms of section 14A of the Indecent Publications Act 1963, in respect of those particular additional publications and he seeks a serial restriction order in terms of section 15A of that Act in respect of this series of publications. The Tribunal is satisfied that it can deal with both those applications on the basis that they are before the Tribunal for final orders. It has reached this conclusion because of the modest and discreet nature of the publications and because the spirit of the law if not indeed the full letter of the law has been complied with insofar as the Tribunal is concerned. In the event that the publisher and distributor are concerned to have final orders made then those publications can be considered at the next meeting of the Tribunal. The Tribunal accordingly as indicated makes an order that these further editions of *Playboy Presents 100 Beautiful Women* are to be classified as indecent in the hands of persons under the age of 16 years for the same reason as indicated for the earlier publication and it is likewise satisfied that it is appropriate that a serial restriction order be made classifying this publication as indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 3rd day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
 go22709

Decision No. 8/89  
 Reference No.: IND 54/88

### Before the Indecent Publications Tribunal

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

#### *Improvised Rocket Motors*:

**Chairman:** Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

**Appearances:** M. J. Wotherspoon for Comptroller of Customs. No appearance by importer.

### Decision

This magazine was privately imported at parcels post at Whangarei in August 1988 and was seized by the Collector of Customs. The importer having disputed forfeiture the publication has been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This publication is of a kind which occasionally comes before the Tribunal giving detailed instructions of how to produce improvised rockets and the preparation of propellants for use for irregular or guerilla type forces. The Tribunal is unanimous in its decision that such material is potentially most dangerous

in the hands of persons who are experimenting with rocketry or who are considering making use of such rocketry for military style or criminal activities. The Tribunal classifies this publication as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22710

Decision No. 9/89

Reference No.: IND 50/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication:  
*Leather Sex Fantasy (Hot Rods)*:

*Chairman*: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

*Appearances*: M. J. Wotherspoon for Comptroller of Customs. No appearance on behalf of importer.

### Decision

This publication was privately imported at Auckland in August 1988 and was seized by the Collector of Customs. The importer having disputed forfeiture the publication has been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The Tribunal finds that the publication which displays excerpts from a triple-x-rated video and includes explicit photographs of anal and oral sex and male masturbation with bondage overtones is clearly injurious to the public good and classifies it as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22712

Decision No. 10/89

Reference No.: IND 51/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications:  
*Playguy*, January 1986; *Playguy*, May 1986; *Playguy*, June 1986; *Playguy*, July 1986; *Playguy*, August 1986; *Playguy*, November 1986; *Inches*, February 1986; *Inches*, March 1986; *Inches*, November 1986; *Blueboy*, February 1984; *Blueboy*, March 1984:

*Chairman*: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

*Appearances*: M. J. Wotherspoon for Comptroller of Customs, G. A. Ireland for various interested parties. No appearance from importer, G. Armstrong, Progressive Mail Order, Hamilton.

### Decision

These publications were commercially imported through Hamilton for commercial purposes and were seized by the Comptroller of Customs. The importer having disputed forfeiture the publications have been referred to the Tribunal prior to the commencement of condemnation proceedings

pursuant to the Customs Act 1966. Mr Ireland whose principle appearance was on behalf of Lawrence Publishing Company (NZ) Ltd., submitted that these particular issues have counterparts which have earlier received an R18 classification by the Tribunal. Mr Ireland submitted that there was nothing in these particular issues which would justify an unconditionally indecent classification and he also sought a serial order in respect of the publication *Inches*.

In respect of the publications *Inches*, February 1986 and *Inches*, March 1986, the Tribunal is satisfied that the depiction of multiple sex activity in the first and a like depiction from a video section in the second is of such a nature that they are injurious to the public good and classifies each of those publications as indecent.

In respect of all the remaining publications under this particular importation the Tribunal is satisfied that there is material contained in the magazines which is injurious to younger readers and classifies each as indecent in the hands of persons under the age of 18 years. In view of the finding in relation to 2 of the magazines *Inches*, Mr Ireland's submission that it is appropriate for a serial order to be made for that publication fails.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22713

Decision No. 11/89

Reference No.: IND 57/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Colt Men*, Issue Number 19:

*Chairman*: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

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

### Decision

This magazine was commercially imported through parcels post, Auckland in October 1988 and was seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publication has been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

All *Colt* publications have been the subject of a serial order made on 14 October 1988 in decision 34/88 but this particular publication was imported prior to the serial restriction order coming into force and accordingly is not covered by that order.

The Tribunal agrees with both Mr Wotherspoon and Mr Ireland that this publication should be classified as indecent in the hands of persons under the age of 18 and rules accordingly.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22715

Decision No. 12/89

Reference No.: IND 65/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs

for a decision in respect of the following publication: *Pin Ups* (Advocate Men Centrefold Collection):

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs. Written submissions by G. A. Ireland, counsel for the Lawrence Publishing Company NZ Ltd.

### Decision

This magazine was commercially imported through Auckland in October 1988 and it having been seized by the Collector of Customs, the importer has disputed forfeiture and the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

In his written submission to the Tribunal, Mr Ireland points out that *Pin Ups* is a special issue of *Advocate Men* magazine which has been given an R18 serial restriction order by the Tribunal. Mr Ireland asked that the Tribunal so classify this particular publication.

In his submission to the Tribunal, Mr Wotherspoon on behalf of the Comptroller also submits that the material shown is of the kind which could be injurious to younger readers and the Tribunal agrees with both those submissions and accordingly classifies the publication as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22718

Decision No. 15/89

Reference No.: IND 2/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *Good Boys Gone Hard*, No. 1; *Boys Will Such Boys*, Vol. 1; *Homo Action*, No. 14; *Homo Special*, No. 1; *Homo Special*, No. 7:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs. No appearance on behalf of importer.

### Decision

These publications were privately imported through parcels post, Auckland in November 1988. The publications having been seized by the Collector of Customs, the importer has disputed forfeiture and they have been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

All of these magazines are of the homosexual kind and they all feature multiple model scenes involving anal and oral sex. With the exception of *Homo Action*, No. 14 all of the publications are devoid of any text whatsoever. The written material in *Homo Action*, No. 14, consists of very coarse and explicit descriptions of the photographic scenarios.

The Tribunal is satisfied that all of these publications are of a kind that would be injurious to the public good and classifies each as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22721

Decision No. 13/89

Reference No.: IND 66/88

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Friction*, January 1989:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs. Written submission by G. A. Ireland, counsel for the Lawrence Publishing Company NZ Ltd.

### Decision

This publication was commercially imported through Auckland parcels post in December 1988. The publication having been seized, the importer has disputed forfeiture and the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This particular publication has, as Mr Ireland points out in his submission, been previously before the Tribunal and previously been the subject of a request for an R18 serial restriction order.

As pointed out by Mr Wotherspoon on behalf of the Comptroller, this issue is similar in content to the previous issues which have been the subject of decision 54/88 and other decisions, and in each case they have been classified as indecent in the hands of persons under the age of 18. The Tribunal is satisfied that an age restriction is indeed justified because the content is of a kind which would be injurious to the public good and classifies this particular publication as indecent in the hands of persons under the age of 18 years. In view of the number of issues of this publication which have now recently been before the Tribunal and subject to an R18 classification, the Tribunal is satisfied that it would be appropriate for a serial restriction order to be made. The Tribunal accordingly issues a serial restriction order classifying the magazine *Friction* as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22720

Decision No. 16/89

Reference No.: IND 16/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Dr Ruth's Guide to Sex*:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs. No appearance on behalf of importer.

**Decision**

This publication was commercially imported through the port of Auckland in late February 1989. The publication being seized by the Collector of Customs, the importer disputed forfeiture and the matter was originally referred to me as Chairman of the Tribunal for an interim decision on 15 March 1989. On 17 March 1989 an interim restriction order was issued declaring the publication to be indecent in the hands of persons under the age of 16 years. The publication now comes before the Tribunal for final classification. The Tribunal is satisfied that the publication contains contraceptive advice which in terms of the Contraception, Sterilisation and Abortion Act 1977 can not be given to persons under the age of 16 years and therefore classifies it as indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go22724

Decision No. 17/89

Reference No.: IND 29/87

**Before the Indecent Publications Tribunal**

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

Chairman: Judge R. R. Kearney.

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

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

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

**Minority Decision of Dr S. C. Middleton**

This is described in the subtitle as "a gay sex guide and consciousness book" and differs from many publications which come before the Tribunal in that its expressed purpose is to inform rather than to titillate. It brings together personal experiences, historical detail, photographic and other pictorial depictions, descriptions of sexual practices and feelings about those practices, and medical "facts". On the whole, the tone of the book is restrained and designed to be reassuring to gay men, who are so often marginalised or invisible in the popular "mainstream" sex manuals.

The majority decision to declare this book 'unconditionally indecent' is based on 3 concerns. I do not believe these to be sufficient grounds for such a classification.

The first is that the publication is now 11 years old "and does not contain any treatment of the subject of AIDS and the steps to be taken to avoid contamination by it". At the time this book was published, AIDS had not become recognised as a major danger to public health. *Men Loving Men*, does, however, contain responsible information about other sexually-transmitted diseases. Evidence given at the Tribunal hearing by Dr Broadmore and Mr Logan showed that there is a very high level of awareness about AIDS in the gay community. The volume under consideration was seized by customs from a private individual—there are no plans to import this edition for mass sale. Its failure to discuss AIDS can, then, in no way be seen as injurious to the public good.

The Tribunal's second concern was the "section on S and M dealing with power roles, domination, discipline and sado-masochism". The majority decision views such depictions as carrying "a potential for harm to some individuals" and as "generally injurious to the public good". I dispute this claim. Psychoanalytic studies have clearly demonstrated that the

nature of individuals' sexual desires are shaped largely by experiences and relationships in childhood. Many people have sado-masochistic urges. I would argue that it is important for such people to recognise what may be constructed as "disturbing personal problems" as recognised social phenomena. *Men Loving Men* addresses sado-masochism in a restrained and informative manner and in this may be reassuring to members of this minority group. The book emphasises loving relationships between men and the importance of consent and mutual pleasure in sexual encounters. In this, it is not injurious to the public good.

The third concern was the book's discussion of drug use as an enhancement of sexual pleasure. The message here is conservative and does not advocate drug use. In fact (page 129), with reference to S and M sex, the book warns that "most of these drugs . . . can be positively dangerous".

Current notions of equity require that minority groups can see themselves reflected in the literature they read, and that their needs and rights are taken into account. Until the passing of the Homosexual Law Reform Act, homosexuals were subject to the prohibition of both their sexual activities and much of their written history and culture. As an early publication emerging from within the gay rights movement, this book has considerable historical and cultural significance, not only for the gay community, but for members of the wider public concerned with knowledge about human history, sexuality, societies and cultures.

I therefore disagree with a classification of "unconditionally indecent". In line with the legal age of consent, I would recommend a classification of "indecent in the hands of persons under the age of 16".

Dated at Wellington this 18th day of May 1989.

S. C. MIDDLETON, Member.

Indecent Publications Tribunal.

go22726

Decision No. 14/89

Reference No.: IND 1/89

**Before the Indecent Publications Tribunal**

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publications: *A Woman's Guide to Men and Sex* and *Eros in the Country*:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs. Written submissions by general manager, Doubleday New Zealand Ltd.—importer.

**Decision*****Eros in the Country***

Unfortunately only 2 of the members of the Tribunal had the opportunity of reading this publication and a final decision upon it will have to await the next hearing of the Tribunal on 5 July 1989 when all members will have read it and will have considered the submission made by the Comptroller of Customs and by the general manager of Doubleday New Zealand Ltd.

***A Woman's Guide to Men and Sex***

This publication as well as *Eros in the Country* were commercially imported through Auckland sea freight in November 1988. The publications having been seized by the Collector of Customs, the importer has disputed forfeiture and the publications have been referred to the Tribunal for

classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The Tribunal agrees with the Comptroller of Customs in the submission made on his behalf by Mr Wotherspoon and the submission made by the general manager of Doubleday New Zealand Ltd. that this is a serious publication of high quality, with well researched material written by Dr Andrew Stanway. The only reason why the Tribunal finds that the book should be and is classified as indecent in the hands of persons under the age of 16 is because of the provisions of the Sterilisation, Contraception and Abortion Act 1977, which restricts the age in which advice can be given on contraception to persons over the age of 16 years.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22728

Decision No. 59/89

Reference No.: IND 31/89

### Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *True Blue*, No. 6 (Hard Edition):

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 5th day of July 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs, no appearance by or on behalf of importer.

### Decision

This publication was privately imported through Auckland parcel post on 22 May 1989 and was seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publication was referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

*True Blue* is an Australian magazine of heterosexual orientation and consists principally of standard photographs of nude or partly clothed female models and also a number of articles, cartoons, video reviews and the like. The magazine which has previously been outlined to the Tribunal, is produced in 2 versions which are commonly called the "soft edition" and the "hard edition". Issues No. 3 and 4 of the soft version of this publication were referred to the Tribunal in October and November 1988 for classification and these were ruled indecent in the hands of persons under the age of 18 years in Tribunal decisions 36 and 49/88.

A feature of this publication which concerns the Tribunal is photographs from X-rated movies in an article entitled "Raw Talent" and commencing at page 58 of the magazine. Eleven of the photographs show models engaged in heterosexual and oral sex and in one case 3 models engaged in sexual activity. Another aspect of the publication which causes concern, is a photographic sequence under the title "Wendy" and this is a pictorial and written description of a "precocious schoolgirl". Both of the features just mentioned are of such a nature that the Tribunal is satisfied that the magazine would be injurious to the public good and classifies it as unconditionally indecent.

Dated at Wellington this 4th day of August 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go22691

## Judicature Act 1908

### Commissioner of High Court Appointed

Pursuant to section 47 of the Judicature Act 1908, the Right Honourable Sir Thomas Eichelbaum, Chief Justice of New Zealand has this day appointed

Michael Robert Hogan of Brisbane, Queensland to be a Commissioner of the High Court of New Zealand in Queensland for the purposes of administering and taking oaths, affidavits and affirmations as in the same section mentioned.

Dated at Wellington this 29th day of November 1989.

J. D. EARLES, Registrar.

High Court, Wellington.  
go22865

## Justices of the Peace Act 1957

### Justice of the Peace Resignation

It is noted for information that

Stanley James Wilson of 25 Macmillan Avenue, Cashmere, Christchurch 2

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

Dated at Wellington this 11th day of December 1989.

D. OUGHTON, Secretary for Justice.  
go22843

### Justice of the Peace Resignation

It is noted for information that

Elsie Marion Ray of 6 Mahoe Street, Melville, Hamilton has resigned her appointment as Justice of the Peace for New Zealand.

Dated at Wellington this 11th day of December 1989.

D. OUGHTON, Secretary for Justice.  
go22844

## Marriage Act 1955

### Marriage (Approval of Organisations) Notice No. 22

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. 22.
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

Cook Islanders Protestant Church (LMS) of New Zealand Incorporated.

Dated at Lower Hutt this 7th day of December 1989.

B. E. CLARKE, Registrar-General.  
go22628

### Marriage Celebrants for 1989, Notice No. 27

Pursuant to the provisions of section 11 of the Marriage Act 1955, the following persons have been appointed as Civil Marriage Celebrants:

Forsyth, Patricia Hazel, 19 High Street, Bulls.  
 Johnson, Selwyn Ross, 219 Maraetai Drive, Maraetai.  
 Lambert, Henry Colton Arundel, 2/8 Hart Road, Takapuna.  
 Taylor, Jill, Schoolhouse, Matiere.

Dated at Lower Hutt this 5th day of December 1989.

B. E. CLARKE, Registrar-General. 2  
 go22576

### Marriage Celebrants for 1989, Notice No. 28

Pursuant to the provisions of section 13 of the Marriage Act 1955, it is hereby notified that the following names have been removed from the list of Marriage Celebrants under section 10 of that Act:

Arnott, Robert James, Methodist.  
 Calder, Mathew Lewis, Anglican.  
 Cammock, Robert Hugh, Church of Jesus Christ of Latter-Day Saints.  
 Crawford, Samuel James, Methodist.  
 Goldsmith, Rex Charles Radcliffe, Baptist.  
 Graves, Norma Mary, Methodist.  
 Harvey, Gradon Johnson, Anglican.  
 Higgins, Michael Anthony, Church of Jesus Christ of Latter-Day Saints.  
 Lemalu, Sialoga, Methodist.  
 Mann, John Alfred, Church of Jesus Christ of Latter-Day Saints.  
 Morrison, William, Methodist.  
 Murray, John, Methodist.  
 Po'oi, Siosiua, Free Church of Tonga.  
 Pomeroy, Harold Charles, Methodist.  
 Rakiej, Stanislaw, Roman Catholic.  
 Rouch, Mark Arnold, Methodist.  
 Thompson, John Herbert, Methodist.  
 Utupo, Pati, Church of Jesus Christ of Latter-Day Saints.  
 Wall, Lynne J., Methodist.  
 Wall, Terence, Methodist.  
 Webber, Darryl Maxwell, Church of Jesus Christ of Latter-Day Saints.

Dated at Lower Hutt this 5th day of December 1989.

B. E. CLARKE, Registrar-General. 2  
 go22578

### Marriage Celebrants for 1989, Notice No. 29

Pursuant to the provisions of section 10 of the Marriage Act 1955, the following names of Marriage Celebrants within the meaning of the said Act are published for general information.

'Aho, Tevita, Free Church of Tonga.  
 Api, Maleko, Roman Catholic.  
 Babbage, Humphrey Allan, Anglican.  
 Becciu, Giovanni Angelo, Roman Catholic.  
 Beetham, Peter Graeme, Brethen.  
 Bell, David J., Church of Christ.  
 Bojda, Kazimierz, Roman Catholic.  
 Brunton, Mark Stanley, Church of Jesus Christ of Latter-Day Saints.  
 Currie, Colin Stuart, Brethen.  
 Durrant, Joanne Alethea, Methodist.  
 Dwyer, Shane, Roman Catholic.  
 Gaskin, Russell Wayne, Anglican.  
 George, Norma Justine, Methodist.

Gibbs, Brendan Moreland, Anglican.  
 Hakaraia, Neha Hoani, Church of Jesus Christ of Latter-Day Saints.  
 Hanson, Maxwell Stephen John, Apostolic Church.  
 Harper, Bruce Kenneth, Havelona Spiritual Health Centre.  
 Heath, James Wallace, Jubilee Christian Fellowship.  
 Jackson, David, Salvation Army.  
 Kilmartin, Paul, Roman Catholic.  
 Lai, James Chee Seng, New Covenant Fellowship.  
 Langi, Siosaia, Free Wesleyan Church of Tonga in New Zealand.  
 Linehan, Maurice John, Roman Catholic.  
 Lucas, John Clement, Apostolic Church.  
 Lyne, Peter, New Life Christian Fellowship.  
 Masame, Alema Kilisi, Church of Jesus Christ of Latter-Day Saints.  
 McCann, John Patrick, Roman Catholic.  
 Millar, Margaret Anne, Methodist.  
 Okesene, Neone, Seventh-Day Adventist.  
 Perkins, Gilbert John, Baptist.  
 Reid, Bhadra Dasi, International Society for Krishna Consciousness.  
 Sampson, Barbara June, Salvation Army.  
 Schwencke, Julius Paul, Church of Jesus Christ of Latter-Day Saints.  
 Smith, Thelma Joyce, Salvation Army.  
 Strickland, Teariki, Seventh-Day Adventist.  
 Szewczyk, Antoni, Roman Catholic.  
 Vesty, Suzanne Ruth, Wings.  
 Watson, Nigel Mott, Presbyterian.  
 Wesche, Vesa Hans, Church of Jesus Christ of Latter-Day Saints.  
 White, Thomas A., Roman Catholic.  
 Winslade, Colin Maurice, Victory Family Fellowship.  
 Wong, Sonny Ah, Church of Jesus Christ of Latter-Day Saints.

Dated at Lower Hutt this 5th of December 1989.

B. E. CLARKE, Registrar-General. 2  
 go22582

### Oaths and Declarations Act 1957

#### Corrigendum

In the notice published in the *Gazette*, 16 November 1989, No. 201, page 5758, headed Officers in the Department of Justice Authorised to Take Statutory Declaration, the second entry of designations for authorisation should have read All District Probation Officers.

Dated at Wellington this 1st day of December 1989.

D. OUGHTON, Secretary for Justice.

(Adm. 3/28/3/18)

go22842

### Sale of Liquor Act 1962

#### Notice of Intention to Vary Hours of Sale of Liquor at Licensed Premises—Northland 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 Northland Licensing Committee on 27 November 1989 made an order authorising variations of the usual hours of trading for the licensed premises known as the Roadrunner Tavern, Paihia.

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 every Friday and Christmas Eve (Christmas Eve not being a Saturday).* Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.

(b) *On every Saturday (including Christmas Eve but not including New Year's Eve).* Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.

(c) *On every New Year's Eve.* Opening at 11 o'clock in the morning and closing at 12.30 o'clock in the morning of New Year's Day.

(d) *On every other day.* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

Dated at Wellington this 12th day of December 1989.

D. OUGHTON, Secretary for Justice.

(Adm. 2/72/5)  
go22855

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

Pursuant to section 221A (14) and 221B 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 Auckland Licensing Committee on 30 November 1989 made an order authorising variations of the usual hours of trading for the licensed premises known as the Royal George Inn, 3 Davis Crescent, Newmarket.

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 Monday, Tuesday, Wednesday and Thursday.* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

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

Dated at Wellington this 12th day of December 1989.

D. OUGHTON, Secretary for Justice.

(Adm. 2/72/5)  
go22856

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

Pursuant to section 221A (14) and 221B 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 Auckland Licensing Committee on 30 November 1989 made an order authorising variations of the usual hours of trading for the licensed premises known as the Bridgeway Tavern, 1 Hobson Street, Auckland.

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 Mondays and Saturdays.* Opening at 7 o'clock in the morning and closing at 6 o'clock in the evening.

(b) *On Tuesday and Wednesdays.* Opening at 9 o'clock in the morning and closing at 8 o'clock in the evening.

(c) *On Thursdays.* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

(d) *On Fridays.* Opening at 10 o'clock in the morning and closing at 9 o'clock in the evening.

Dated at Wellington this 12th day of December 1989.

D. OUGHTON, Secretary for Justice.

(Adm. 2/72/5)  
go22858

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

Pursuant to section 221A (14) and 221B 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 Auckland Licensing Committee on 30 November 1989 made an order authorising variations of the usual hours of trading for the licensed premises known as the Hibiscus Court Hotel, Wade River Road, Whangaparaoa.

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 Monday, Wednesday and Thursday (not being Christmas Eve or New Year's Eve).* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

(b) *On any Friday and Saturday (not being New Year's Eve), the Thursday preceding Easter and on Christmas Eve.* Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.

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

Dated at Wellington this 12th day of December 1989.

D. OUGHTON, Secretary for Justice.

(Adm. 2/72/5)  
go22859

#### **Notice of Intention to Vary Hours of Sale of Liquor at Chartered Club —Auckland Licensing Committee**

Pursuant to section 221A (14) and 221B 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 Auckland Licensing Committee on 30 November 1989 made an order authorising variations of the usual hours of trading for the chartered club known as the Otahuhu Recreational Sports Society Inc., 5 Nikau Street, Otahuhu.

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 Monday, Tuesday, Wednesday and Thursday (not being Christmas Eve or New Year's Eve).* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

(b) *On any Friday, Saturday and the Thursday preceding Easter (not being New Year's Eve) and on Christmas Eve.* Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.

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



Dated at Wellington this 12th day of December 1989.

D. OUGHTON, Secretary for Justice.

(Adm. 2/72/5)  
go22860

### Notice of Intention to Vary Hours of Sale of Liquor at Licensed Premises—Northland 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 Northland Licensing Committee on 10 November 1989 made an order authorising variations of the usual hours of trading for the licensed premises known as the THC Waitangi Resort Hotel, Paihia.

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 every Friday between the dates of 17 November 1989 and 24 February 1990.* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

(b) *On every Saturday between the dates of 17 November 1989 and 24 February 1990.* Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.

(c) *On every other day.* Opening at 11 o'clock in the morning and closing at 10 o'clock in the evening.

Dated at Wellington this 12th day of December 1989.

D. OUGHTON, Secretary for Justice.

(Adm. 2/72/5)  
go22862

## Labour

### Dangerous Goods Act 1974

#### Corrigendum

#### Notice of Cessation of Appointment of Licensing Authority

In the notice with the above heading published in the *New Zealand Gazette*, 3 August 1989, No. 136, page 3390 for, the signatory 'Stan Roder' read as 'Stan Rodger'.

go22846

## Transport

### International Air Services Licensing Act 1947

#### Notice of Application for the Renewal of an International Air Service Licence

Pursuant to section 15 of the International Air Services Licensing Act 1947, notice is hereby given that Federal Express Corporation has applied for the renewal of its International Air Service Licence to operate air services for the carriage of cargo and mail between the United States of America and Australia via New Zealand for a further 2-year period from 1 March 1990. Further details of this proposal may be obtained from the General Manager, Air Transport Division, Ministry of Transport, P.O. Box 31-441, Lower Hutt.

Any person or organisation desiring to make representations relating to this application must forward those representations in writing to reach me on or before 5 January 1990.

Signed at Wellington this 6th day of December 1989.

W. P. JEFFRIES, Minister of Civil Aviation and Meteorological Services.  
go22868

## Traffic Regulations 1976

### Approval of Seat Belts for Motor Vehicles

Pursuant to subclause (1) of regulation 88 of the Traffic Regulations 1976, the Secretary for Transport, hereby approves, for the purposes of regulations 30 and 78 of the Traffic Regulations 1976, the Seat Belt Standard described in the Schedule hereto. Subject to the conditions of approval set out in the Schedule.

#### Schedule

Seat belts complying with Australian Standard AS2596—1983.

#### Conditions of Approval

1. Labelled or marked in accordance with that standard.
2. Any emergency locking retractors must comply with the requirement of dual sensitivity.
3. Display and comply with the Standards Association of Australia certification and trademark with licence number.

Dated at Wellington on the 12th day of December 1989.

H. C. MATHESON, for Secretary for Transport.

(M.O.T. 14/41/1/1)  
go22852

## Transport Act 1962

### The Traffic (Wairoa District) Notice No. 1, 1989

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 (Wairoa District) Notice No. 1, 1989.

The roads specified in the Schedule are declared to be closely populated localities pursuant to section 52 of the Transport Act 1962 from the 1st day of December until Tuesday after Easter of the following year. For the remainder of the year, the roads specified in the Schedule are declared to be 70 kilometres an hour speed limit areas pursuant to regulation 21 (2) of the Traffic Regulations 1976.

#### Schedule

Situated within Wairoa District at Te Mahia:

Mahia East Coast Road: from a point 550 metres measured north-westerly, generally, along the said road from Parakawai Road to a point 150 metres measured south-easterly, generally, along the said road from Parakawai Road.

Parakawai Road: from Mahia East Coast Road to a point 500 metres measured south-westerly, generally, along the said road from Mahia East Coast Road.

Signed at Wellington this 11th day of December 1989.

C. M. CLISSOLD, Chief Traffic Engineer.  
(M.O.T. 29/2/Wairoa District)  
go22851

## **Transport (Vehicle and Driver Registration and Licensing) Act 1986**

### **Approval of Defensive Driving Courses**

Pursuant to section 48 (2) (a) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986, and pursuant to a delegation given by the Secretary for Transport in an instrument dated the 14th day of November 1989, I, Warren Richard Gillespie Simeon, Controller, Traffic Education Standards hereby approve the following organisations to be defensive driving organisations for the purposes to section 68 of the Transport Act 1962 and regulations 11 (1) (b) (i) and 32 (2) of the Transport (Drivers Licensing) Regulations 1987; Waipareira Community Trust Defensive Driving Course, Henderson.

R P Te Reinga Defensive Driving Course, Papakura.

Karamu High School Defensive Driving Course, Hastings.

Newlands College Defensive Driving Course, Wellington.

R W Adams Defensive Driving Course, Whangaparaoa.

Adams Drivecorp, Tauranga.

And I hereby revoke the previous notice: No. 20285, *New Zealand Gazette*, No. 189/1989, page 5299.

Signed at Wellington this 11th day of December 1989.

W. R. G. SIMEON, Controller, Traffic Education Standards.

(File: 16/6/1/2)

go22848

### **Approval of Course in Map Reading**

Pursuant to section 48 (2) (a) of the Transport (Vehicle and Driver Regulation and Licensing) Act 1986; and pursuant to a delegation given by the Secretary for Transport in an instrument dated the 14th day of November 1989, I, Warren Richard Gillespie Simeon, Controller, Traffic Education Standards, hereby approve the following organisation to conduct courses in map reading for the purpose of regulation 11 (1) (c) of the Transport (Driver Licensing) Regulations 1987.

Customer Services Branch, Land Transport Division of the Ministry of Transport.

Signed at Wellington this 6th day of December 1989.

W. R. G. SIMEON, Controller, Traffic Education Standards.

go22850

## **Authorities and Other Agencies of State**

### **PostBank**

#### **Post Office Savings Bank Regulations 1985**

##### **Bonus Bonds Weekly Prize Draw No. 2, 9 December 1989**

Pursuant to the Post Office Savings Bank Regulations 1985, notice is hereby given that the result of the weekly Prize Draw No. 2 for 9 December is as follows:

One prize of \$50,000: 7099 074503.

Twenty-five prizes of \$5,000: 320 788886, 374 299231, 469 438349, 472 337285, 572 535264, 676 382993, 817 090368, 1123 839844, 1127 448012, 1272 651833, 1522 462969, 1928 807363, 2011 618483, 2019 373320, 2185 918111, 2224 003042, 3290 329537, 4185 876769, 4582 142460, 7095 191778, 7690 989690, 7891 117091, 8981 125116, 9086 370221 and 9787 479532.

DAVID CAYGILL, Minister of Finance.

au22584

## **Land Notices**

### **Conservation**

#### **Reserves Act 1977**

##### **Classification and Naming of a Reserve**

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Conservator, Auckland Conservancy of the Department of Conservation hereby classifies the reserve, described in the Schedule hereto, as a scenic reserve, subject to the provisions of section 19 (1) (a) of the said Act, and further, declares that the said reserve shall hereafter be known as the Burma Road Scenic Reserve.

##### **Schedule**

###### **North Auckland Land District—Kaipara District**

33.4122 hectares, more or less, being Section 6, Block II, Tauhoa Survey District. Part certificate of title 1054/263. S.O. Plan 51383.

11.1890 hectares, more or less, being Section 9, Block I, Tauhoa Survey District. Part certificate of title 1054/263. S.O. Plan 55340.

Dated at Auckland this 5th day of December 1989.

G. H. CAMPBELL, Regional Conservator, Auckland.

(Files H.O. Res. 2/3/229, Res. 2/3/214; R.O. DOC 222)

ln22626

##### **Classification and Naming of a Reserve**

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Conservator,

Auckland Conservancy of the Department of Conservation hereby classifies the reserve, described in the Schedule hereto, as a scenic reserve, subject to the provisions of section 19 (1) (a) of the said Act, and further, declares that the said reserve shall hereafter be known as the Hiki Stream Scenic Reserve.

### Schedule

#### **North Auckland Land District—Kaipara District**

22.5000 hectares, more or less, being Section 2, Block I, Tauhoa Survey District. Part certificate of title 1054/263. S.O. Plan 54438.

Dated at Auckland this 5th day of December 1989.

G. H. CAMPBELL, Regional Conservator, Auckland.

(Files H.O. Res. 2/3/214; R.O. DOC 223)

ln22627

### **Revocation of an Appointment to Control and Manage a Reserve Classification of a Reserve and Vesting in the Wellington City Council**

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Conservator, Wellington, of the Department of Conservation, hereby revokes the appointment of the Strathmore Park Bowling Club (Inc), to control and manage the public hall site reserve described in the Schedule hereto, and further classifies the said reserve to be a local purpose reserve (community centre), and vests the said reserve in the Wellington City Council in trust for that purpose.

### Schedule

#### **Wellington Land District—Wellington City—Strathmore Park Community Hall**

851 square metres, more or less, being Section 26, Watts Peninsula District, Block XI, Port Nicholson Survey District. All *New Zealand Gazettes*, 1958, page 96, G.N. K. 42263 (S.O. Plan 23487) and 1971, page 2287.

Dated at Wellington this 11th day of December 1989.

N. D. R. MCKERCHAR, Regional Conservator.

(D.O.C. H.O. 22/3630/187; D.O.: 8/5/279)

2/1

ln22864

## **Iwi Transitional Agency**

### **Maori Affairs Restructuring Act 1989**

#### **Maori Land Development Notice**

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

#### **Notice**

1. This notice may be cited as Maori Land Development Notice Whangarei 1989, No. 16.
2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.
3. The lands described in the Second Schedule hereto are hereby released from Part II of the Maori Affairs Restructuring Act 1989.

#### **First Schedule**

Date of Notice	Reference	Registration No.
21 May 1975	<i>New Zealand Gazette</i> , 5 June 1975, No. 46, page 1248	—

#### **Second Schedule**

#### **North Auckland Land District**

All those pieces of land described as follows:

Area ha	Being
43.9084	Lot 2, D.P. 42395, being part of Kohatutaka 2 and 6A, situated in Blocks V and VI, Punakitere Survey District. All certificate of title 37A/41.
49.1916	Lot 3, D.P. 42395, being part of Kohatutaka 2 and 6A, situated in Blocks V and VI, Punakitere Survey District. All certificate of title 37A/42.

Dated at Whangarei this 29th day of November 1989.

For and behalf of the General Manager, Iwi Transition Agency.

B. R. GREEN, Programme Manager (Taitokerau).

(M.A. H.O. 15/1/1233; D.O. 19/D/23)

2/2CL

ln22546

#### **Maori Land Development Notice**

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

#### **Notice**

1. This notice may be cited as Maori Land Development Notice Whangarei 1989, No. 17.
2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.
3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

#### **First Schedule**

Date of Notice	Reference	Registration No.
18 December 1964	<i>New Zealand Gazette</i> , 23 December 1964, No. 80, page 2392	A. 508470

#### **Second Schedule**

#### **North Auckland Land District**

All that piece of land described as follows:

Area ha	Being
163.7586	Waimata 2F part, being part D.P. 20132, situated in Blocks VII and VIII of the Kaihu Survey District. All certificate of title, Volume 2048, folio 91.

Dated at Whangarei this 29th day of November 1989.

For and on behalf of the General Manager, Iwi Transition Agency.

B. R. GREEN, Programme Manager (Taitokerau).

M.A. H.O. 15/1/934; D.O. 20/F/30)

2/2CL

ln22549

#### **Maori Land Development Notice**

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

#### **Notice**

1. This notice may be cited as Maori Land Development Notice Whangarei 1989, No. 15.
2. The notice referred to in the First Schedule hereto is hereby

amended by omitting all reference to the land described in the Second Schedule hereto.

3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

### First Schedule

Date of Notice	Reference	Registration No.
16 January 1967	<i>New Zealand Gazette</i> , 19 January 1967, No. 2, page 48	-

### Second Schedule

#### North Auckland Land District

All that piece of land described as follows:

Area ha	Being
53.2414	Section 36, situated in Block III, Okaka Survey District. All certificate of title 10D/794.

Dated at Whangarei this 29th day of November 1989.

For and on behalf of the General Manager, Iwi Transition Agency.

B. R. GREEN, Programme Manager (Taitokerau).

(M.A. H.O. 15/1/1242; D.O. 20/BB/44)  
ln22544

2/2CL

### Maori Land Development Notice

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

#### Notice

1. This notice may be cited as Maori Land Development Notice Whangarei 1989, No. 18.

2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.

3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

### First Schedule

Date of Notice	Reference	Registration No.
7 February 1977	<i>New Zealand Gazette</i> , 17 February 1977, No. 16, page 350	-

### Second Schedule

#### North Auckland Land District

All that piece of land described as follows:

Area ha	Being
122.4799	Lot 1, D.P. 73687, situated in Block V, Horahora East Survey District. All certificate of title 31C/652.

Dated at Whangarei this 29th day of November 1989.

For and behalf of the General Manager, Iwi Transition Agency.

B. R. GREEN, Programme Manager (Taitokerau).

M.A. H.O. 15/1/124; D.O. 17/141/35)  
ln22551

1CL

### Maori Land Development Notice

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

#### Notice

1. This notice may be cited as Maori Land Development Notice Whangarei 1989, No. 12.

2. The notice referred to in the First Schedule hereto is hereby amended by omitting all reference to the land described in the Second Schedule hereto.

3. The lands described in the Second Schedule hereto are hereby released from Part II of the Maori Affairs Restructuring Act 1989.

### First Schedule

Date of Notice	Reference	Registration No.
1 November 1963	<i>New Zealand Gazette</i> , 7 November 1963, No. 73, page 1820	A31266

### Second Schedule

#### North Auckland Land District

All those pieces of land described as follows:

Area ha	Being
17.6569	Mimitu Ruarei 10F and 10G, situated in Block V, Mangakahia Survey District. Part certificate of title 17B/124.
28.2878	Mimitu Ruarei 10H and 10J, situated in Block V, Mangakahia Survey District. All certificate of title 19D/314.
2.1151	Mimitu Ruarei 22L2, situated in Block V, Mangakahia Survey District. All certificate of title 47A/783.
1.5175	Mimitu Ruarei 22K2B, situated in Block V, Mangakahia Survey District. All certificate of title 47A/782.
0.8094	Mimitu Ruarei 22G, situated in Block V, Mangakahia Survey District. All certificate of title 20B/783.

Dated at Whangarei this 29th day of November 1989.

For and on behalf of the General Manager, Iwi Transition Agency.

B. R. GREEN, Programme Manager (Taitokerau).

(M.A. H.O. 15/1/1044; D.O. 18/P/11)  
ln22538

2/2CL

### Maori Land Development Notice

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

#### Notice

1. This notice may be cited as Maori Land Development Notice Whangarei 1989, No. 13.

2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.

3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

**First Schedule**

Date of Notice	Reference	Registration No.
11 July 1957	<i>New Zealand Gazette</i> , 18 July 1957, No. 51, page 1339	K.62392

**Second Schedule****North Auckland Land District**

All that piece of land described as follows:

Area ha	Being
9.2369	Mimitu Ruarei 10D, situated in Block V, Mangakahia Survey District. Part certificate of title 17B/124.

Dated at Whangarei this 29th day of November 1989.

For and on behalf of the General Manager, Iwi Transition Agency.

B. R. GREEN, Programme Manager (Taitokerau).

(M.A. H.O. 15/1/1044; D.O. 18/P/11) 2/2CL  
In22540

**Maori Land Development Notice**

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

**Notice**

1. This notice may be cited as Maori Land Development Notice Whangarei 1989, No. 14.

2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.

3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

**First Schedule**

Date of Notice	Reference	Registration No.
30 November 1971	<i>New Zealand Gazette</i> , 9 December 1971, No. 98, page 2847	—

**Second Schedule****North Auckland Land District**

All that piece of land described as follows:

Area ha	Being
0.8094	Mimitu Ruarei 10E, situated in Block V, Mangakahia Survey District. All certificate of title 16B/882.

Dated at Whangarei this 29th day of November 1989.

For and on behalf of the General Manager, Iwi Transition Agency.

B. R. GREEN, Programme Manager (Taitokerau).

(M.A. H.O. 15/1/1044; D.O. 18/P/11) 2/2CL  
In22543

**Lands****Public Works Act 1981****Amending a Notice Declaring Land Held for the Purposes of a Biological Reserve to be Crown Land in the District of Tasman**

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Nelson, hereby amends the notice dated the 14th day of September 1989, and published in the *Gazette* of 5 October 1989, No. 176, at page 4872, declaring land held for the purposes of a biological reserve to be Crown land in the District of Tasman, by deleting from the Schedule the words "20.7907 hectares" and substituting the words "20.8084 hectares".

Dated at Nelson this 30th day of November 1989.

J. McKENZIE, District Manager.

(Lands Nn. D.O. 30/12/0/1) 1CL  
In22521

**Declaring Land Held Under the Forests Act 1949 to be Set Apart for Forest Purposes (Housing) in the Marlborough District**

Pursuant to section 52 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Nelson, declares the land described in the Schedule hereto to be set apart, subject to a building line restriction in Order in Council 529, water and incidental rights, and fencing covenant in transfer 33995 for forest purposes (housing), and shall remain vested in the Crown.

**Schedule****Marlborough Land District—Marlborough District**

6209 square metres, situated in Block XIII, Cloudy Bay Survey District, being part of Lot 1, D.P. 37. All certificate of title No. 1B/109.

Dated at Nelson this 5th day of December 1989.

J. McKENZIE, District Manager.

(Lands Nn. D.O. 94/6/0/2/2) 1CL  
In22522

**Land Declared to be Road, Road Stopped in the District of Marlborough**

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

(a) Pursuant to section 114, declares the land described in the First Schedule hereto to be road which shall vest in The Marlborough District Council on the date of publication hereof in the *Gazette*.

(b) Pursuant to sections 116 (1), 117 (3) and 120 (3), declares the portions of road described in the Second Schedule hereto to be stopped and to be amalgamated with the land in certificate of title No. 6A/1110, subject to memoranda of mortgage 267951.5, 229692.3, 229692.4 and 267951.8.

**First Schedule****Nelson Land District****Land Declared to be Road**

All those pieces of land described as follows:

Area ha	Being
6.4349	Parts Section 6, Square 34, being part Runs 55 and 60, situated in Block XV, Motupiko Survey District; marked "A" on S.O. Plan 14347.

Area ha	Being
6.6168	Part Run 60 and part Section 1, situated in Block II, and part Section 5, situated in Block VI, Rotoiti Survey District; marked "A" on S.O. Plan 14326.
2.8041	Part Section 1, Square 56 and part Run 60, situated in Block VI, Rotoiti Survey District; marked "E" on S.O. Plan 14326.
6.6575	Part Section 2, Square 56, and part Run 60, situated in Blocks VI and X, Rotoiti Survey District; marked "F" on S.O. Plan 14326.
1.1096	Part Section 6, situated in Block VI, Rotoiti Survey District; marked "A" on S.O. Plan 14348.

Area m <sup>2</sup>	Being
6457	Part Section 5, situated in Block VI, Rotoiti Survey District; marked "B" on S.O. Plan 14326.

As shown marked as above mentioned on the plans and lodged in the office of the Chief Surveyor at Nelson.

## Second Schedule

### Nelson Land District

#### Road Stopped and Amalgamated

Area ha	Adjoining or passing through
6.9086	Parts Section 6 and part Section 3, Square 34, and Section 5, being part Run 55 and part Section 1, being part Run 60, situated in Block XV, Motupiko Survey District; marked "B" on S.O. Plan 14347.
2.6704	Part Section 1, Block II, and part Section 5, Block VI, Rotoiti Survey District; marked "C" on S.O. Plan 14326.

Area m <sup>2</sup>	Adjoining or passing through
6216	Part Section 5, situated in Block VI, Rotoiti Survey District; marked "D" on S.O. Plan 14326.

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

Dated at Nelson this 5th day of December 1989.

J. MCKENZIE, District Manager.

(Lands Nn. D.O. 11/1) 1CL  
ln22523

### Stopped Road in Whangarei District to be Vested

Pursuant to section 117 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland, declares the portions of stopped road described in the Schedule to be vested in Grant Mervyn Matthews of Whangarei, farmer and Jocelyn Nicola Matthews, his wife, subject to memorandum of mortgage C. 013327.5 and statutory land charge C. 013327.6, North Auckland Land Registry.

## Schedule

### North Auckland Land District

Area m <sup>2</sup>	Being
113	Section 1.
183	Section 4.
4542	Section 5.
3593	Section 6.

Shown as above mentioned on S.O. Plan 52307, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 4th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 50/15/11/0/52307) 1CL  
ln22524

### Land Held for Auckland-Hamilton Motorway and for Better Utilisation Set Apart in Connection With a Motorway in Auckland City

Pursuant to section 52 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland, hereby declares the land described in the Schedule hereto to be set apart in connection with a motorway.

## Schedule

### North Auckland Land District

Area m <sup>2</sup>	Being
3	Part Allotment 16, Section 54, City of Auckland (part former C.T. 580/19). Part balance <i>Gazette</i> notice A. 541788, North Auckland Land District.
341	Part Allotment 16, Section 54, City of Auckland (formerly C.T. 757/30). All <i>Gazette</i> notice A. 493111, North Auckland Land District.
144	Part Allotment 16, Section 54, City of Auckland. Part <i>Gazette</i> notice A. 459463, North Auckland Land District.
1606	Lot 2, D.P. 28858. Part Proclamation 18853, North Auckland Land District.

Dated at Auckland this 4th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 7/2/8/0/239) 1CL  
ln22525

### Land Acquired in Hastings District

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, Napier, declares that, an agreement to that effect having been entered into, the land described in the Schedule is acquired for soil conservation and river control purposes, and shall vest in The Hawke's Bay Regional Council on the date of publication in the *Gazette*.

## Schedule

### Hawke's Bay Land District

Area m <sup>2</sup>	Being
422	Part Lot 2, D.D.P. 966; marked 'A' on plan.
47	Part Lot 2, D.D.P. 966; marked 'B' on plan.

Both in Block IV, Te Mata Survey District, as shown as on S.O. Plan 9892, lodged in the office of the Chief Surveyor at Napier.

Dated at Napier this 29th day of November 1989.

G. P. HULBERT, District Solicitor.

(Na. D.O. 231030/51) 1CL  
ln22536

### Land Acquired in Hastings District

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, Napier, declares that, an agreement to that effect having been entered into, the land described in the Schedule is acquired for soil conservation and river control purposes, and shall vest in The Hawke's Bay Regional Council on the date of publication in the *Gazette*.

**Schedule****Hawke's Bay Land District**

7948 square metres, situated in Block III, Te Mata Survey District, being part Agricultural Section 13, Pukahu shown marked 'A' on S.O. Plan 9774, lodged in the office of the Chief Surveyor at Napier.

Dated at Napier this 1st day of December 1989.

G. P. HULBERT, District Solicitor.

(Na. D.O. 231030/111)

In22553

**Land Acquired for Road in Hastings District**

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, Napier, declares that, an agreement to that effect having been entered into, the land described in the Schedule is taken for road and shall vest in The Hastings District Council on the date of publication in the *Gazette*.

**Schedule****Hawke's Bay Land District**

66 square metres, situated in Block IV, Te Mata Survey District, being part Lot 45, D.P. 2549, shown marked 'A' on S.O. Plan 9420, lodged in the office of the Chief Surveyor at Napier.

Dated at Napier this 1st day of December 1989.

G. P. HULBERT, District Solicitor.

(Na. D.O. AD 7/10/35)

In22554

**Land Acquired for Road in Wairoa District**

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Gisborne, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is taken for road and shall vest in The Wairoa District Council on the date of publication in the *Gazette*.

**Schedule****Gisborne Land District**

18.1240 hectares, being part Lot 1, D.P. 6590, Block XXI, Mangahopai Survey District; marked 'A' on S.O. Plan 8402, lodged in the office of the Chief Surveyor at Gisborne.

Dated at Gisborne this 30th day of November 1989.

R. F. McMINN, District Manager.

(Na. D.O. 7/22/7)

In22556

**Land Acquired for Road and for the Purposes of Exchange for Other Land in Block IX, Paekakariki Survey District**

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington, declares that, an agreement to that effect having been entered into, the land described in the First Schedule hereto is hereby acquired for road and the land described in the Second Schedule hereto is hereby acquired for the purposes of exchange for other land and shall vest in The Porirua City Council on the 14th day of December 1989.

**First Schedule****Wellington Land District**

1725 square metres, being part Lot 1, D.P. 18817, situated in Block IX, Paekakariki Survey District; as shown marked 'B' on

S.O. Plan 35205, lodged in the office of the Chief Surveyor at Wellington.

**Second Schedule****Wellington Land District**

1193 square metres, being part Lot 1, D.P. 18817, situated in Block IX, Paekakariki Survey District; as shown marked 'A' on S.O. Plan 35205, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wellington this 8th day of December 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. PL 39/19/2)

In22742

1C1

**Amending a Notice Declaring Land to be Road, Road Stopped and Vested and Land Taken and Vested in Block XIII, Mount Robinson Survey District, Horowhenua County**

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 6th day of July 1988 and published in the *New Zealand Gazette* of 14 July 1988, No. 122 at page 2805 and 2806, declaring land taken and vested in Block XIII, Mount Robinson Survey District by omitting all references to memoranda of mortgage No. 475262.3 and 559525.1 and also omitting paragraphs (b) and (e) and substituting the following:

(b) Pursuant to sections 116, 117 and 120 (3), declares the road described in the Second Schedule hereto to be stopped and vested in certificate of title No. 31C/433, Wellington Land Registry, subject to memorandum of mortgage No. 938477.4.

(e) Pursuant to section 119 (1), declares the land described in the Fifth Schedule hereto to be taken and incorporated into certificate of title No. 31C/433, Wellington Land Registry, subject to memorandum of mortgage No. 938477.4.

Dated at Wellington this 8th day of December 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. 72/1/9B/1/0/19)

In22747

1C1

**Land Acquired for a Reserve for Historic Purposes in Block VI, Port Nicholson Survey District**

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for a reserve for historic purposes subject to the Reserves Act 1977 and shall vest in The Wellington City Council on the 14th day of December 1989.

**Schedule****Wellington Land District**

4815 square metres, being part Lot 1, D.P. 8370, situated in Block VI, Port Nicholson Survey District; as shown marked 'B' on S.O. Plan 32705, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wellington this 7th day of December 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. PL 1/8/9/1)

In22750

1C1

### Stopped Road to be Vested and Land to be Taken and Vested in Blocks XII and XVI, Mangaone Survey District

Pursuant to the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington hereby declares:

(a) Pursuant to sections 117 and 120 (3), the stopped road described in the First Schedule hereto to be vested in Jonathan Ormond McKay of Alfredton, farmer and shall be amalgamated with the land contained in certificate of title No. 28B/619, subject to section 308 (4), Local Government Act 1974 and memoranda of mortgage No. 770209.11, 859561.1 and 940611.1, Wellington Land Registry.

(b) Pursuant to section 119, the land described in the Second Schedule hereto to be taken and vested in Jonathan Ormond McKay of Alfredton, farmer and shall be incorporated with the land contained in certificate of title No. 28B/619, subject to section 308 (4), Local Government Act 1974, subject to memoranda of mortgage No. 770209.11, 859561.1 and 940611.1, Wellington Land Registry.

(c) Pursuant to sections 117 and 120 (3), the stopped road described in the Third Schedule hereto to be vested in Peter Bowen McKay of Alfredton, farmer and shall be amalgamated with the land contained in certificate of title No. 28B/622, subject to memoranda of mortgage No. 770209.12, 770209.13, 863758.1 and 863758.3, Wellington Land Registry.

(d) Pursuant to section 119, the land described in the Fourth Schedule hereto to be taken and vested in Peter Bowen McKay of Alfredton, farmer and shall be incorporated with the land contained in certificate of title No. 28B/622, subject to memoranda of mortgage No. 770209.12, 770209.13, 863758.1 and 863758.3, Wellington Land Registry.

#### First Schedule

##### Wellington Land District

Area m <sup>2</sup>	Adjoining
6878	Part Sections 133 and 134, Alfredton Suburban and part Section 79, Rangitumau District; marked 'C' on plan.
167	Part Section 133, Alfredton Suburban; marked 'D' on plan.

Situated in Block XVI, Mangaone Survey District; as shown marked as above mentioned on S.O. Plan 34309, lodged in the office of the Chief Surveyor at Wellington.

#### Second Schedule

##### Wellington Land District

9302 square metres, being part Section 134, Alfredton Suburban, situated in Block XVI, Mangaone Survey District; as shown marked 'B' on S.O. Plan 34309, lodged in the office of the Chief Surveyor at Wellington.

#### Third Schedule

##### Wellington Land District

1467 square metres, adjoining part Section 128, Alfredton Suburban, situated in Blocks XII and XVI, Mangaone Survey District; as shown marked 'J' on S.O. Plan 34310, lodged in the office of the Chief Surveyor at Wellington.

#### Fourth Schedule

##### Wellington Land District

44 square metres, being part Section 128, Alfredton Suburban, situated in Block XVI, Mangaone Survey District; as shown marked 'H' on S.O. Plan 34310, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wellington this 1st day of December 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. PL 1/3/4)  
ln22751

1CL

### Land Set Apart for Motorway Purposes in Block IV, Belmont Survey District

Pursuant to section 52 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby set apart for motorway purposes and shall remain vested in the Crown.

#### Schedule

##### Wellington Land District

Area m <sup>2</sup>	Being
566	Part Section 196, Hutt District; marked 'A' on plan.
278	Part Lot 2, D.P. 7415; marked 'B' on plan.
229	Part Lot 1, D.P. 8202; marked 'C' on plan.
279	Part Lot 2, D.P. 8202; marked 'D' on plan.
299	Part Lot 1, D.P. 12988; marked 'E' on plan.
2575	Part Section 196, Hutt District; marked 'F' on plan.

Situated in Block IV, Belmont Survey District; as shown marked as above-mentioned on S.O. Plan 36142, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wellington this 30th day of November 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. PL 1/3/81)  
ln22752

1CL

### Declaring Land to be Road in the City of Wellington

Pursuant to section 114 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington hereby declares the land described in the Schedule hereto to be road and shall vest in The Wellington City Council on the 14th day of December 1989.

#### Schedule

##### Wellington Land District

1166 square metres, situated in the City of Wellington, being Lot 1, D.P. 67477. All certificate of title No. 35B/796, Wellington Land Registry.

Dated at Wellington this 27th day of November 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. PL 5/19/7)  
ln22837

1CL

### Amending a Notice Declaring Land to be Road in the City of Wellington

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 20th day of September 1989 and published in the *New Zealand Gazette* of 5 October 1989, No. 176 at page 4876, declaring land to be road in the City of Wellington by omitting the Schedule and substituting the following:

#### "Schedule

##### Wellington Land District—City of Wellington

Area m <sup>2</sup>	Being
165	Part Lot 19, D.P. 5210; coloured red on plan.
201	Part Lot 18, D.P. 5210; coloured red on plan.
352	Part Lot 17, D.P. 5210; coloured red on plan.



Area m <sup>2</sup>	Being
525	Part Section 37, Watts Peninsula District; coloured red on plan.
204	Part Lot 3, D.P. 2385; coloured red on plan.

Situated in Block XI, Port Nicholson Survey District; as shown coloured as above-mentioned on S.O. Plan 26324 lodged in the office of the Chief Surveyor at Wellington."

Dated at Wellington this 24th day of November 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. 20/1/0) 1CL  
In22838

### Land Acquired for Road in Block VI, Port Nicholson Survey District

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for road and shall vest in The Wellington City Council on the 14th day of December 1989.

#### Schedule

##### *Wellington Land District*

2 square metres, being part Lot 7, D.P. 1494, situated in Block VI, Port Nicholson Survey District; as shown marked 'B' on S.O. Plan 34261, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wellington this 5th day of December 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. PL 5/19/11) 1CL  
In22839

### Declaring Land to be Road, Road to be Stopped and Vested and Land to be Taken and Vested in Blocks I and II, Puketoi Survey District

Pursuant to the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington, declares:

(a) Pursuant to section 114, the land described in the First Schedule hereto to be road and shall vest in The Tararua District Council.

(b) Pursuant to sections 116, 117 and 120 (3), the road described in the Second Schedule hereto to be stopped and vested in Bernard John Arends of Gisborne, farmer and Annette Creina Arends, his wife and shall amalgamated with the land contained in certificate of title No. 33C/894, subject to memorandum of mortgage No. 644058.5, Wellington Land Registry.

(c) Pursuant to sections 116, 117 and 120 (3), the road described in the Third Schedule hereto to be stopped and vested in Christopher John Nelson of Palmerston North, farmer, Anthony Graham Nelson of Pori, farmer and David James Carruthers of Pahiatua, solicitor and shall be amalgamated with the land contained in certificate of title, Volume 89, folio 225, subject to statutory land charge No. 464320.1, Wellington Land Registry.

(d) Pursuant to section 119, the land described in the Fourth Schedule hereto to be taken and vested in Bernard John Arends of Gisborne, farmer and Annette Creina Arends, his wife and shall be incorporated with the land contained in certificate of title No. 33C/894, subject to memorandum of mortgage No. 644058.5, Wellington Land Registry.

(e) Pursuant to section 119, the land described in the Fifth Schedule hereto to be taken and vested in Christopher John

Nelson of Palmerston North, farmer, Anthony Graham Nelson of Pori, farmer and David James Carruthers of Pahiatua, solicitor and shall be incorporated with the land contained in certificate of title, Volume 89, folio 225, subject to statutory land charge No. 464320.1, Wellington Land Registry.

#### First Schedule

##### *Wellington Land District*

Area m <sup>2</sup>	Being
88	Part Section 7, Block II, Puketoi Survey District; coloured sepia on plan.
2708	Part Section 8, Block II, Puketoi Survey District; coloured blue on plan.
3596	Part Section 13, Block I, Puketoi Survey District; coloured orange on plan.
364	Part Section 13, Block I, Puketoi Survey District; coloured orange on plan.
381	Part Section 8, Block II, Puketoi Survey District; coloured blue on plan.
311	Part Section 13, Block I, Puketoi Survey District; coloured orange on plan.
108	Part Section 13, Block I, Puketoi Survey District; coloured orange on plan.
700	Part Section 7, Block II, Puketoi Survey District; coloured sepia on plan.

As shown coloured as above-mentioned on S.O. Plan 28872, lodged in the office of the Chief Surveyor at Wellington.

#### Second Schedule

##### *Wellington Land District*

3250 square metres, adjoining or passing through Section 13, Block I and Section 8, Block II, Puketoi Survey District; as shown coloured green on S.O. Plan 28872, lodged in the office of the Chief Surveyor at Wellington.

#### Third Schedule

##### *Wellington Land District*

7921 square metres, adjoining or passing through Section 13, Block I and Section 8, Block II, Puketoi Survey District; as shown coloured green on S.O. Plan 28872, lodged in the office of the Chief Surveyor at Wellington.

#### Fourth Schedule

##### *Wellington Land District*

1651 square metres, being part Section 8, Block II, Puketoi Survey District; as shown coloured blue on S.O. Plan 28872, lodged in the office of the Chief Surveyor at Wellington.

#### Fifth Schedule

##### *Wellington Land District*

3371 square metres, being part Section 13, Block I, Puketoi Survey District; as shown coloured orange on S.O. Plan 28872, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wellington this 6th day of December 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. PL 43/19/1) 1CL  
In22840

### Land Set Apart for a Post Office in Block XI, Port Nicholson Survey District

Pursuant to section 52 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor, Department of Lands, Wellington hereby declares the land described in the Schedule hereto to be set apart for a post office and shall remain vested in the Crown.

**Schedule****Wellington Land District**

230 square metres, being part Section 1, S.O. Plan 35947, situated in Block XI, Port Nicholson Survey District. All certificate of title, Volume 204, folio 128, Wellington Land Registry.

Dated at Wellington this 8th day of December 1989.

R. NARAYAN, Acting District Solicitor.

(Lands Wn. D.O. 1/2/8/4)

In22841

ICL

**An Easement Over Land Acquired for the Purposes of an Automatic Telephone Exchange in Devonport**

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, Auckland, declares that, an agreement to that effect having been entered into, an easement for the conveyance of sewage and drainage, over the land described in the First Schedule hereto, containing the rights and powers set forth in paragraphs 3, 4 and 5 of the Seventh Schedule to the Land Transfer Act 1952 is hereby acquired for the purposes of an automatic telephone exchange and shall vest in the Crown on the date of deposit of L.T. Plan 135671 (North Auckland Land Registry) and that the said easement shall be held appurtenant to the land described in the Second Schedule hereto.

**First Schedule****North Auckland Land District**

All those pieces of land described as follows:

Area Shown	Being
"V" & "N" Parts Lot 4, L.T. 135671.	
"U" Part Lot 5, L.T. 135671.	
"O" Part Lot 3, L.T. 135671.	

**Second Schedule****North Auckland Land District**

All that piece of land containing 3114 square metres, being part Allotment 9, Section 2, Takapuna Parish. Balance of *Gazette* notice 19748, North Auckland Land Registry.

Dated at Auckland this 12th day of December 1989.

A. M. WEIR, District Solicitor.

(Lands Ak. 18/112/0)

In22863

ICL

**Land Acquired for Limited Access Road in the District of Wanganui**

Pursuant to section 20 of the Public Works Act 1981, and section 88 (2) of the Transit New Zealand Act 1989, 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 limited access road and has become road, limited access road and State highway and vested in the Crown on the date of publication hereof in the *Gazette*.

**Schedule****Wellington Land District—Wanganui District**

All those pieces of land situated in Block XV, Nukumaruru Survey District, described as follows:

Area m <sup>2</sup>	Being
4300	Part Lot 1, D.P. 60312; marked "C" on plan.
8494	Part Lot 1, D.P. 60312; marked "H" on plan.
488	Part Lot 1, D.P. 60312; marked "L" on plan.

As shown marked as above mentioned on S.O. Plan 35934, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wanganui this 8th day of December 1989.

B. P. BONISCH, District Solicitor.

(Lands Wg. D.O. 8/3/0/22/2)

In22867

ICL

**Land Acquired for Limited Access Road in the District of Wanganui**

Pursuant to section 20 of the Public Works Act 1981, and section 88 (2) of the Transit New Zealand Act 1989, 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 entered into, the land described in the Schedule hereto is hereby acquired for limited access road and has become road, limited access road and State highway and vested in the Crown on the date of publication hereof in the *Gazette*.

**Schedule****Wellington Land District—Wanganui District**

837 square metres, situated in Block II, Ikitara Survey District, being part Lot 4, D.P. 1867 and D.P. 1919; as shown marked "A" on S.O. Plan 36158, lodged in the office of the Chief Surveyor at Wellington.

Dated at Wanganui this 8th day of December 1989.

B. P. BONISCH, District Solicitor.

(Lands Wg. D.O. 8/4/0/27)

In22870

ICL

**Declaring Land to be Road in Whangarei District**

Pursuant to section 114 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland, declares the land described in the Schedule hereto to be road, which shall vest in The Whangarei District Council.

**Schedule****North Auckland Land District**

All that piece of land containing 23 square metres, being part of the North Western portion of Allotment 33, Parish of Hikurangi, also all mines and minerals in and under the said piece of land (part certificate of title, Volume 561, folio 303 and balance certificate of title, Volume 552, folio 302, North Auckland Land Registry); as shown marked "B" on S.O. Plan 60560, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 8th day of December 1989.

R. F. SMITH, District Manager.

In22872

ICL

**Land Acquired in Connection with a Motorway in Auckland City**

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired in connection with a motorway and shall vest in the Crown on the date of publication in the *Gazette*.

**Schedule****North Auckland Land District**

1 rood 22 perches (1568 square metres), being Lot 2, D.P. 42295. All certificate of title, Volume 1630, folio 16, North Auckland Land District.

Dated at Auckland this 8th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 71/2/15/0/146)  
ln22874

1CL

**Land Held for Development of Water Power (Dargaville Substation) Set Apart for State Housing Purposes in Kaipara District**

Pursuant to section 52 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland hereby declares the land described in the Schedule hereto to be set apart for State housing purposes.

**Schedule**

**North Auckland Land District**

1012 square metres, being Lot 248, D.P. 859; part Proclamation 12536, North Auckland Land District.

Dated at Auckland this 8th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 92/15/87/1)  
ln22875

1CL

**Land Acquired for Road in Manukau City**

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland, declares that, an agreement to that effect having been entered into, the land described in the Schedule is acquired for road which shall vest in The Manukau City Council on the date of publication in the *Gazette*.

**Schedule**

**North Auckland Land District**

12 square metres, being part Lot 7, D.P. 80232; shown marked "B" on S.O. Plan 63276, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 8th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 15/6/0/63276)  
ln22878

1CL

**Declaring Stopped Road in Far North District to be Vested**

Pursuant to section 117 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland declares:

(i) That the land firstly described in the Schedule hereto shall be amalgamated with the land contained in certificate of title, Volume 622, folio 205, subject to memorandum of mortgage B. 822932.3, North Auckland Land Registry.

(ii) That the land secondly described in the Schedule hereto shall be amalgamated with the land contained in certificate of title No. 79A/212, subject to memorandum of mortgage B. 822932.3, North Auckland Land Registry.

**Second Schedule**

**North Auckland Land District**

Area m <sup>2</sup>	Being
29	Section 2.
82	Section 1.

As shown, marked as above mentioned, on S.O. Plan 53621, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 5th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 50/15/10/0/53621)  
ln22879

1CL

**Land Acquired for a Limited Access Road in Rodney District**

Pursuant to section 20 (1) of the Public Works Act 1981, and to section 88 (2) of the Transit New Zealand Act 1989, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland, declares that, the land described in the Schedule hereto is hereby acquired for a limited access road, which becomes road, limited access road, and State highway and vests in the Crown on the 14th day of December 1989.

**Schedule**

**North Auckland Land District**

All that piece of land containing 9 square metres, more or less, being part Lot 5, D.P. 66869; as shown marked "L" on S.O. Plan 63746, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 7th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 72/1/2A/0/401)  
ln22881

1CL

**Declaring Land to be Road in the Far North District**

Pursuant to section 114 of the Public Works Act 1981, and a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland declares the land described in the Schedule to be road, which shall vest in The Far North District Council.

**Schedule**

**North Auckland Land District**

Area m <sup>2</sup>	Being
22	Part Lot 2, D.P. 108093; marked "A" on plan.
49	Part Lot 2, D.P. 108093; marked "B" on plan.

As shown marked as above mentioned, on S.O. Plan 59614, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 7th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 50/15/10/0/59614)  
ln22882

1CL

**Stopped Road in Far North District to be Vested**

Pursuant to section 117 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland declares:

(i) The portion of stopped road firstly described in the Schedule hereto to be vested in John Benjamin Dangen of Saies, farmer.

(ii) The portions of stopped road secondly and thirdly described in the Schedule hereto to be vested in Ian Leslie Bruce of Kaeo, builder.

(iii) The portion of stopped road fourthly described in the Schedule hereto to be vested in Ian Leslie Bruce of Kaeo, builder and Anita Ann Bruce, his wife, subject to joint family home certificate 552070.1, memorandum of mortgage 552070.2, family benefit charge 552070.3 and memorandum of mortgage B. 332322.2, North Auckland Land Registry.

**Schedule****North Auckland Land District**

Area m <sup>2</sup>	Being
5321	Section 2.
967	Section 1.
564	Section 4.
1887	Section 3.

Shown as above mentioned on S.O. Plan 59518, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 7th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 50/15/14/0/59518) 1CL  
ln22883

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**Declaring Part Duncan Road to be Stopped in Far North District**

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, Auckland declares the portion of road described in the Schedule to be stopped.

**Schedule****North Auckland Land District**

9261 square metres, adjoining or passing through part Allotment 85 and part Allotment 82, Mangatete Parish and Lot 1, D.P. 30406; shown marked "F" on S.O. Plan 53469, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 7th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 50/15/10/0/53469) 1CL  
ln22884

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**Declaring Road to be Stopped in Rodney District**

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, Auckland declares the portion of road described in the Schedule to be stopped.

**Schedule****North Auckland Land District**

730 square metres, adjoining or passing through part Allotment 9 (D.P. 25800), Okura Parish; marked "A" on S.O. Plan 63720, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 7th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 15/11/0/63720) 1CL  
ln22885

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**Land Acquired for Road in Waitakere City**

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands, Auckland, declares that, an agreement to that effect having been entered into, the land

described in the Schedule hereto is hereby acquired for road and shall vest in The Waitakere City Council on the 14th day of December 1989.

**Schedule****North Auckland Land District**

18 square metres of land being part Lot 1, D.P. 53025; as shown marked "A" on S.O. Plan 62186, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 7th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 15/15/0/62186) 1CL  
ln22886

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**Declaring Land to be Road and Road Stopped in Whangarei District**

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

(a) Pursuant to section 114, declares the land described in the First Schedule hereto to be road which shall vest in The Whangarei District Council.

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

**First Schedule****North Auckland Land District****Land Declared Road**

All those pieces of land described as follows:

Area m <sup>2</sup>	Being
448	Part Section 9, Block VIII, Hukerenui Survey District; marked "D" on plan.
189	Part Section 9, Block VIII, Hukerenui Survey District; marked "E" on plan.

As shown marked as above mentioned on S.O. Plan 56341, lodged in the office of the Chief Surveyor at Auckland.

**Second Schedule****North Auckland Land District****Road to be Stopped**

All those pieces of road described as follows:

Area m <sup>2</sup>	Adjoining or passing through
1424	Part Section 9, Block VIII, Hukerenui Survey District; marked "A" on plan.
1301	Part Section 9, Block VIII, Hukerenui Survey District; marked "B" on plan.

As shown marked as above mentioned on S.O. Plan 56341, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 7th day of December 1989.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 50/15/11/0/56341) 1CL  
ln22887

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## 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>
Civil Aviation Act 1964	Civil Aviation (Security) Regulations 1989	1989/385	11/12/89	10-CX	\$3.40
Valuers Act 1948	Valuers Regulations 1949, Amendment No. 9	1989/386	11/12/89	3-BX	\$2.00
Agriculture (Emergency Powers) Act 1934	Dairy Factory Supply Regulations 1989	1989/387	11/12/89	3-BX	\$2.00
Commerce Act 1986, Ministry of Energy Act 1977	Controlled Goods (Natural Gas) Order 1986, Amendment No. 3	1989/388	11/12/89	2-A	\$1.50
Transport Act 1962	Transport (Breath Tests) Notice (No. 2) 1989	1989/389	11/12/89	6-BY	\$2.20

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V. R. WARD, Government Printer.

ps22888

## New Zealand Gazette 1990 Deadlines

First editions for 1990 are as follows:

### Principal Edition—11 January 1990

The deadline for this edition is noon on Tuesday, the 9th day of January 1990.

### Commercial Edition—17 January 1990

The deadline for this edition is noon on Monday, the 15th day of January 1990.

N.B. It would be appreciated if material for above gazettes were delivered as early as possible.



