

Mr. Heron submitted that there being no formal application under section 15A (4) the Tribunal was not empowered to deal with any of the issues before it. Indeed, as we understood him, he submitted that while a restriction order remained in force the Tribunal has no authority to deal with any issue of that serial publication except by way of an application under section 15A (4).

We reject Mr Heron's submission although we agree that we are not empowered, in the present state of this application, to revoke or vary the restriction order already made.

The purpose of the restriction order is to provide an additional authority to the Tribunal, for the purpose of giving a basis, for up to 2 years, for future dealings with a serial publication, for the guidance of those concerned and to avoid the necessity of frequent applications to the Tribunal for individual classifications. It does not, in our view, take away or cut down the functions of the Tribunal under section 10 of the Act to determine and classify any individual issues. If this were not so a classification less than indecent would be a charter to the publisher to do as he liked subject only to variation of the restriction order.

The words in brackets in section 15A (3) namely "(other than an issue whose character has been determined by the Tribunal or the Supreme Court)" clearly imply that a separate and individual classification can be made in respect of an issue of a periodical subject to a restriction order.

The Tribunal has authority, then, to consider the issues now before it for individual determination and classification under section 10.

The six issues are all of the American edition of *Penthouse*, which generally has a more substantial literary content than the English edition. The only American edition included in decision 830 was classified as indecent in the hands of persons under the age of 18 years. As in that decision, the Tribunal has carefully considered each issue as a whole, weighing the balance between the serious and that which dealt with sexual matters in frank, and occasionally objectionable manner. In decision 830 we noted a continuing tendency towards concentration on the sexual content of the magazine, which indeed led us to declare some of the issues considered at the time to be indecent. These, however, were all English editions, and we do not consider that the present issues represent a deterioration in the general balance of the American edition.

The Tribunal finds each issue to be indecent in the hands of persons under the age of 18 years.

L. M. GREIG, Chairman.

10 June 1975.

Milk Prices

NOTICE is hereby given that, pursuant to the provisions of the Milk Act 1967, the New Zealand Milk Board has authorised the following special maximum prices to be charged in the areas set out below. The special maximum prices which are set out in the Schedule hereunder take effect from and including the 1st day of June 1975, and are in substitution for all of the prices provided for in the Milk Price Notice 1975 and the price for milk sold to a vendor provided for in the Milk Producer and other Prices Notice 1975.

AREAS

ALL that area within a radius of 6 km from the Ahipara Post Office.

All that area within a radius of 22 km from the Pakaraka Post Office, excluding that area within a radius of 3 km from the Russell Post Office.

All that area within a radius of 6 km from the Whangaruru South Post Office.

All that area within a radius of 8 km from the Ngunguru Post Office.

All that area within a radius of 9 km from the junction of One Tree Road with No. 1 State Highway.

All that area within a radius of 7 km from the junction of Cullens Road and Waipu Cove Road.

All that area in the Hobson County lying generally to the south and east of the Wairoa River.

All that area in the Otematea County within a radius of 8 km of the point where Dunn's Road meets Provincial State Highway No. 12.

All that area within a radius of 11 km from the Kaiwaka Post Office.

All that area within a radius of 2 km from the Mangawhai Post Office.

All that area within a radius of 2 km from the Mangawhai Heads Tel. Office.

All that area within a radius of 5 km from the Wellsford Post Office.

All that area within a radius of 20 km from the Leigh P.O. (excluding Kawau Is.)

All that area within a radius of 6 km from the Piha Post Office.

Waiheke Island except that part within a radius of 1 km from Connells Bay Post Office Store and within a radius of 2 km from the Orapiu Wharf.

All that area within a radius of 3 km from the Ruakawaka Post Office.

All that area within a radius of 11 km from the Kaiaua Post Office.

All that area within a radius of 8 km from the Maramarua Post Office.

All that area within a radius of 8 km from the Mangatawhiri Post Office.

All that area within a radius of 2 km from the Te Poi Post Office.

All that area within a radius of 8 km from the Raglan Post Office.

All that area within a radius of 3 km from the Katikati Post Office.

All that area within a radius of 6 km from the Kutarere Post Office.

All that area within a radius of 8 km from the Atiamuri Post Office.

All that area within a radius of 10 km from the New Zealand Co-op Dairy Co. Ltd. milk depot in Spa Road, Taupo, but excluding all that area within a radius of 3 km from the Waitahanui Post Office.

All that area within a radius of 6.5 km from the Woodville Post Office.

All that area within a radius of 2 km from the Takapau Post Office.

All that area within a radius of 6.5 km from the Pahiatua Post Office.

All that area within a radius of 2 km from the Norsewood Post Office.

The Borough of Waipawa, the Borough of Waipukurau.

All that area within 1 km on either side of Main Highway No. 2 from Waipawa southwards to Dannevirke, excluding the boroughs of Waipawa, Waipukurau and Dannevirke.

All that area within a radius of 13 km from the Raetihi Post Office.

All places serviced by the main roads interconnecting Raurimu, Raetihi, Waiouru and Hihitahi.

All that area within a radius of 3 km from the Opunake Post Office.

The Dependent Town District of Kaponga.

All that area within a radius of 3 km from the Waverley Post Office.

All that area within a radius of 6 km from the Patea Post Office.

All those areas serviced by the main road interconnecting Feilding and Apati but excluding those places within a radius of 4 km from the Feilding Post Office.

All that area within a radius of 13 km from the Seddon Post Office.

All that area within a radius of 8 km from the Picton Post Office.

All that area within a radius of 2 km from the Wakapuaka Hall.

The locality in Waimea County known as The Glen.

All that area in Waimea County within a radius of 31 km from the Motueka Post Office, excluding all that area to the east of the Wairoa and Waimea Rivers and excluding all that area to the west of these rivers lying within a radius of 10 km from the Brightwater Post Office.

All that area within a radius of 5 km from the Westport Post Office.

All that area within a radius of 5 km from the Arthur's Pass Post Office.

All that area within a radius of 5 km from the Otira Post Office.

All that area within a radius of 37 km from the Kumara Post Office excluding all that area lying within a radius of 5 km from the Otira Post Office.

All that area within a radius of 3 km from Punakaiki Post Office.

All that area within a radius of 7 km from Barrytown.

All that area within a radius of 3 km from the Ross Post Office.

All that area within a radius of 5 km from the Little River Post Office.

All that area within a radius of 6 km from the Junction of Charteris Bay Road and Gebbies Pass Road, Lyttelton Harbour.