It was also suggested that, if the advertisement was required to refer to a point of sale drawing attention to the availability of alcoholic liquor from the advertiser, it would be illogical and contrary to the spirit of the advertising rules.

To the ordinary listener of course the statement in the rules that brand names will not be advertised, when the name Lion Breweries is constantly repeated during racing coverage, might be regarded as an empty promise.

The Corporation relies on the fact that there is no word or information relating to alcoholic liquor or designed to encourage or promote the general consumption of alcohol and therefore the restriction on brand names is not applicable.

The Tribunal has however, already found that the word "Lion" is a brand name in relation to beer. The fact that it is accompanied by the word "Breweries" cannot be said to derogate from the existence of that brand name particularly since, if anything, breweries is a word intended to bring into mind alcoholic liquor. It is also clear that the advertisement does not claim to advertise any other goods. So that it could not be said to be advertising some other Lion products that would not bring to mind the question of alcohol. From information given previously to the Tribunal by Lion Breweries we know the words "Lion Breweries" are used to clarify its marketing and to promote corporate image. The advertisement would promote the sale of the company's products and about 30 percent of those sales were liquor.

To say that the words "Lion Breweries" do not associate the advertisement with alcoholic liquor is unreal. We find therefore that the advertisement does fall within the definition of advertisements which mention alcoholic liquor or are associated with alcoholic liquor. The rule sets out to limit advertisements to those which comply with the requirements (1) to (6) because it is considered they would otherwise be designed to encourage and/or promote the general consumption of alcoholic liquor. (The paragraphs (1) to (6) are not guides, they are "requirements".) When we examine them we find that the "Lion Breweries" racing advertisements do not comply; a brand name is mentioned in breach of paragraph (2). If the advertisement were made on behalf of a wholesale or retail point of sale it should "refer clearly and consistently to the point of sale . . .". It does not.

The Tribunal concedes the difficulty of interpreting the rules but points out that the Tribunal is not responsible for the form in which the rules are enacted and has advocated comprehensive rules which deal with the issues in a consistent and realistic fashion. That is certainly not the position with the rules in recent times.

Immediately the decisions were made previously and following the revocation of the relevant parts of regulation 14 the Broadcasting Rules Committee enacted a new set of rules. The pre-1978 rule read:

> No station shall broadcast any advertisement which directly or by implication . . . is designed to promote the general consumption of alcoholic beverages. Advertisements may only be made in accordance with the following conditions. . . .

In 1980 this general ban was not re-enacted. Instead a broad intention was stated. Effectively, then, the restrictions on advertisements which mention alcoholic liquor or are associated with it are contained in paragraphs (1) to (6).

When the Lion Breweries advertisements were resumed, Mr Turner complained because, as far as he was concerned the Lion Breweries advertisements did not comply with the new rules. He was told there were new rules and he would have to go through the complaints procedure again without any preliminary statement as to the reason why the Corporation considered the advertisement now complied with the rule. He could be pardoned for contrasting the speed with which the rules can be changed and the time it took to deal with his complaint and then give him the first explanation for resuming the commercials. The Tribunal has also taken time to consider the matter again since the principles are important and the consequences significant.

If the Rules Committee considers that corporate name advertisement which strongly identify the advertiser as a purveyor or manufacturer of alcoholic liquor are to be permitted under the rules then there is no reason why the rule should not have been explicitly amended to cover the situation. Institutional advertising could well be considered by producers of products unacceptable for advertising as an excellent way around the restrictions. If they are to be permitted they should clearly be identified in the rules as an exception.

We urge once again that a comprehensive liquor advertising rule be substituted for the present unsatisfactory collection of statements. If the rule is amended again we trust that the emphasis in any general statements will be put on the effect of the advertisement rather than its design, purpose or intention.

Co-opted Members

Messrs S. H. Gardiner and R. Boyd-Bell were co-opted as persons whose qualifications or experience were likely in the opinion of the Tribunal to be of assistance to the Tribunal in dealing with the complaint. They took part in the hearing of submissions and the deliberations of the Tribunal but the decision, in accordance with the Act, is that of the permanent members.

Dated the 29th day of April 1981.

For the Tribunal:

B. H. SLANE, Chairman.

Maori Land Development Notice

WHEREAS by virtue of Maori Land Development Notice, Wanganui, 1981, No. 2, certain notices under Part XXIV of the Maori Affairs Act 1953 were revoked.

Now, therefore, in partial replacement of that notice the Maori Land Board, acting pursuant to section 330 (1) of the Maori Affairs Act 1953, hereby gives notice as follows:

NOTICE

1. This notice may be cited as Maori Land Development Notice, Wanganui, 1981, No. 5.

2. The land described in the Schedule hereto is hereby declared to be subject to Part XXIV of the Maori Affairs Act 1953.

SCHEDULE

WELLINGTON LAND DISTRICT

ALL that piece of land described as follows:

Area ha	Being
146.8723	Part Ohuanga North 5A, situated in Block III, Pihanga Survey District. Balance certificate of title, Volume 489, folio 170.

Dated at Wellington this 15th day of April 1981.

For and on behalf of the Maori Land Board.

I. P. PUKETAPU, Secretary of Maori Affairs.

(M.A. H.O. 65/42; D.O. 6/373)

Maori Land Development Notice

WHEREAS by virtue of Maori Land Development Notice, Wanganui, 1981, No. 2, certain notices under Part XXIV of the Maori Affairs Act 1953 were revoked.

Now, therefore, in partial replacement of those notices the Maori Land Board, acting pursuant to section 330 (7) of the Maori Affairs Act 1953, hereby gives notice as follows:

NOTICE

1. This notice may be cited as Maori Land Development Notice, Wanganui, 1981, No. 4.

2. The land described in the Schedule hereto is hereby declared to be subject to Part XXIV of the Maori Affairs Act 1953.

SCHEDULE

WELLINGTON LAND DISTRICT

ALL those pieces of land described as follows:

Area	Being
m^2	
2939	Section 3, Block X, Puketi Survey District. (S.O. Plan 24931.)
ha	
47.0233	Part Hautu 3E2, situated in Blocks VII, X and XI, Puketi Survey District. Balance certificate of title, Volume 285, folio 212.
42.8139	Part Hautu 3E3, situated in Blocks VI, VII, X and XI, Puketi Survey District. Balance certificate of title, No. F1/573.
46.2137	Part Hautu 3E4A, situated in Blocks VI, VII and X, Puketi Survey District. Balance certificate of title, No. 6D/1269.
53.4918	Hautu 3E4B, situated in Blocks VI and X, Puketi Survey District. All certificate of title, Volume 6D, folio 1270.