

(2) If in respect of any lot of bananas the price calculated in accordance with the foregoing provisions of this clause is not an exact number of cents, the maximum price of the lot shall be computed to the nearest whole cent.

PROVISIONS FOR SPECIAL PRICES

6. Notwithstanding anything to the contrary in the foregoing provisions of this order, and subject to such conditions, if any, as he thinks fit, the Secretary, on application by any retailer, may authorise special maximum prices in respect of any Ecuadorian bananas to which this order applies where special circumstances exist, or for any reason extraordinary charges (freight or otherwise) are incurred by the retailer. Any authority given by the Secretary under this clause may apply with respect to a specified lot or consignment of bananas, or may relate generally to all Ecuadorian bananas to which this order applies sold by the retailer while approval remains in force.

DUTY IMPOSED ON RETAILERS

7. Every retailer who offers or exposes for sale in any shop any Ecuadorian bananas, to which this order applies shall keep in a prominent position, in such proximity to the bananas to which it relates as to be obviously in relation thereto, a ticket, placard, or label on which shall be stated in legible and prominent characters the following particulars:

- (a) The retail price a kilogram of the bananas.
- (b) The word "Ecuadorian".

SCHEDULE

DEFINITION OF METROPOLITAN AREAS

Name of Metropolitan Area	Districts Included Therein
Auckland	The Cities of Auckland, East Coast Bays, Mount Albert, Takapuna and Birkenhead, the Boroughs of Devonport, Ellerslie, Glen Eden, Henderson, Howick, Mount Eden, Mount Roskill, Mount Wellington, New Lynn, Newmarket, Northcote, Onehunga, One Tree Hill, Otahuhu.
Wellington	The Cities of Wellington, Lower Hutt, Upper Hutt, and Porirua, the Boroughs of Eastbourne, Petone, and Tawa, and the District Community of Wainuiomata.
Christchurch	The City of Christchurch, the Borough of Riccarton, and the Counties of Heathcote and Waimairi.
Dunedin	The City of Dunedin and the Boroughs of Green Island, Port Chalmers, and St. Kilda.

Dated at Wellington this 18th day of June 1981.

D. J. GASSON,

Director, Stabilisation of Prices and Enforcement.

*New Zealand Gazette, 5 March 1981, No. 23, p. 494

(T. and I.)

Decision No. 995

Reference Ind. 4/81, 5/81

Decision of 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:

Tabu Nos. 2, 26, 29, 31, published by Schwarz-Gelb-Verlags; *Young Girls in Colour Vol. 1, No. 23*, published anonymously.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Chairman: Judge W. M. Willis.

Members: Mesdames H. B. Dick, L. P. Nikera. Messrs J. V. B. McLinden, I. W. Malcolm.

Hearing: 5 February 1981.

Decision: 10 June 1981.

Appearances: Mr P. E. Leloir for Comptroller of Customs. Written submissions by importer, Waverley Publishing Co. Ltd.

Decision

These publications are sample costs imported commercially and seized at Auckland in September 1980. The importer disputed forfeiture so they have been referred for classification. *Young Girls in Colour* is, in fact, No. 27 issue of *Tabu* with a different cover page. It seems appropriate that all should be considered in the same light.

The series have an average size of 8 inches by 10 inches on glossy paper and with coloured photographs. Most are photographs only of the girlie type portraying nude or semi-nude females. In the main the photographs are not blatantly offensive, indeed some are attractive. Extensive emphasis on the genitalia is absent in most of the studies. Where there is some text, it is in German. The Comptroller made separate submissions in respect of *Tabu* and *Young Girls in Colour*, but frankly, the Tribunal can see no reason to differentiate between the publications. While the Comptroller suggested an age restriction for *Tabu* he suggested that *Young Girls in Colour* should be held indecent. For the reasons already stated and because the publications are in reality the same, the Tribunal intends to suggest an age restriction. In doing so, it bears in mind the recent ruling of the High Court in *Waverley Publishing Co. Ltd. versus Comptroller of Customs*.

All books are therefore held to be indecent in the hands of persons under the age of 18.

District Court Judge W. M. WILLIS, Chairman.

Decision No. 996

Reference No. Ind. 6/81

Decision of 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 Daughters of Pan, published by Down Under Publishing Pty. Ltd., ACT, Australia. *Just the Two of Us*, published by Scripts Publications, North Sydney, Australia. *The Adventures of Foxy Marten*, published by Aim Printing Pty. Ltd., N.S.W., Australia. *The Velvet Trap*, published by MacFadden-Bartell Corp., New York, U.S.A., *The Acid Eaters*, published by Top Sellers Ltd., London, U.K., *Sensuous Sirens*, published anonymously, *Photo Book of Big Busts*, published by Venus Publications Ltd., London, U.K.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Chairman: Judge W. M. Willis.

Members: Mesdames H. B. Dick, L. P. Nikera. Messrs J. V. B. McLinden, I. W. Malcolm.

Hearing: 5 February 1981.

Decision: 10 June 1981.

Appearances: Mr P. E. Leloir for Comptroller of Customs. No appearance of Importer, Waverley Publishing Co. Ltd.

Decision

All these publications were sample copies imported commercially and seized in Auckland in August 1980. The importer has disputed forfeiture so that the Tribunal has been asked to classify each book. The Comptroller made the general submission which would have application to each of these volumes that they lack literary merit, that they appeal to the prurient and that the public good would not be served by allowing their free circulation. As already stated, no submissions were made by the importer.

Daughters of Pan—This is a paper back published by the Down Under Publishing Co. It is a weird story of witchcraft heavily oriented to sexual episode. Not only does it portray an exceedingly warped mind of the author, but it expresses in detail extreme violence with its sexual and witchcraft episodes. A totally crude and unpleasant book and one which is certainly considered to be injurious to the public good.

Just the Two of Us and *The Velvet Trap*—While the above-named books are by different authors and from different publishing houses; they are both lesbian orientated so will be dealt with together. Both stories are sordid and while appearing to be given over to lesbianism only, this is only a camouflage. The stories include deviate sex as the normal practise, and multiple rape with violence is graphically described in several episodes. Both books are designed to appeal only to readers with prurient interests and have no honesty of purpose whatsoever. The Tribunal finds both indecent.

The Adventures of Foxy Marten—This is a story set in Australia, and purports to cover escapades in the crime world there. Foxy Marten is a female capable apparently of anything. The book explains in explicit detail many deviate