

We see the present proposals as experimental only and 6 months is the maximum period for which we would have been prepared to give approval on this application.

However, it is not necessarily impossible for such a series of programmes to be conducted on a long-term basis with one day a week being non-commercial, and it should not therefore be assumed that this application will be a fore-runner to an automatic approval by the Tribunal of an application for an amendment to the warrant on a permanent basis.

Mr Giles put a number of arguments in support of a submission that the section 76 procedure was not appropriate and that an application ought to have been made for an amendment to the warrant. Mr Hudson invited the Tribunal to use its powers to amend the warrant of its own motion if it thought the short-term authorisation procedure inappropriate. We have not accepted either submission.

The Tribunal has carefully considered the several reasons put forward by Mr Giles but has decided the Corporation has followed the appropriate course.

We do not consider it is intended in the Broadcasting Act that, for one-off or even a short series of broadcasts, there should be constant applications for amendments (which would not be of continuing effect) to the warrant.

It does seem appropriate that the Corporation should apply under section 75 for a short-term authorisation. All the same factors are taken into account by the Tribunal but the weight which individual factors may be given will vary according to whether it is a short-term application or a permanent change to the warrant. If it were to be a short-term amendment to the warrant we would see the considerations applying as identical.

There is, therefore, no advantage to the warrant amendment procedure if the changes are not to be permanent. The effect on appeal rights is not a sufficient basis for requiring an application for an amendment to the warrant.

Furthermore, there would be substantial expense in every year if applications for amendments to warrants had to be made whenever a broadcast was sought with advertising on an occasion when advertising was not normally permitted.

Mr Giles did not oppose the proposed broadcasts as such and largely confined himself to the argument as to the correct procedures. The Tribunal did not accept his submission that it should consider whether or not some different type of application for approval by the Tribunal should be made under another provision of the Act.

The Tribunal makes it clear that this application is what it is stated to be, namely, a short term one. It should not be assumed that some sort of automatic renewal would be available. If the Corporation wishes to seek a further period beyond December 1982 it will have to make another application either for a short-term broadcasting authorisation or for an amendment to the warrant. The granting of this application does not prejudice any future application.

The application is granted.

The Registrar will issue an authorisation on the usual conditions.

Two special conditions will be imposed.

- (1) The advertising programmes in each hour shall not exceed 11 minutes.
- (2) Each broadcast shall take place only if during the preceding period of one week the applicant has desisted from broadcasting advertising programmes for a period of 1 hour on Network One at a time when advertising programmes have normally been broadcast.

Dated the 14th day of June 1982.

For the Tribunal.

B. H. SLANE, Chairman.

Classification of Reserve

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserve, described in the Schedule hereto, to be classified as a reserve for recreation purposes, subject to the provisions of the said Act.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—MOUNT WELLINGTON BOROUGH

4869 square metres, more or less, being Allotment 23, Section 4, small lots near village of Panmure, situated in Block II, Otahuhu Survey District. All *New Zealand Gazette* 1982, page 1176. S.O. Plan 53297.

Dated at Auckland this 2nd day of June 1982.

J. V. BOULD,

Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 2/2/180; D.O. 8/3/109/9)

Classification of Reserve

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserve, described in the Schedule hereto, to be classified as a reserve for local purpose (esplanade), subject to the provisions of the said Act.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—OTAHUHU BOROUGH

852 square metres, more or less, being Lot 5, D.P. 31441 and Lot 3, D.P. 39155, situated in Block VI, Otahuhu Survey District. Balance certificates of title 541/197 and 541/195.

Dated at Auckland this 27th day of May 1982.

J. V. BOULD,

Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 2/44/1; D.O. 1/39/2/31)

Vesting a Reserve in the Howick Borough Council

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby vests the reserve, described in the Schedule hereto, in the Howick Borough Council in trust for recreation purposes.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—HOWICK BOROUGH

34 square metres, more or less, being Lots 1 and 2, D.P. 86030, situated in Block IV, Otahuhu Survey District. All certificates of title 43D/535 and 43D/536.

Dated at Auckland this 26th day of May 1982.

J. V. BOULD,

Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 2/2/61; D.O. 8/3/483)

Reservation of Land

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Director of Land Administration of the Department of Lands and Survey hereby sets apart the land, described in the Schedule hereto, as a reserve for Government purpose (wildlife management).

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT—WHAKATANE DISTRICT—TARAWERA CUT WILDLIFE MANAGEMENT RESERVE

14,000 hectares, more or less, being Allotment 1354, Matata Parish (formerly Crown land and part Allotment 108A, Maetata Parish), situated in Block III, Awaateatua Survey District. S.O. Plan 52036.

Dated at Wellington this 14th day of June 1982.

W. J. F. BISHOP,

Assistant Director of Land Administration,
Department of Lands and Survey.

(L. and S. H.O. Res. 3/6/38; D.O. 8/5/267/49)

Reservation of Land and Declaration That the Reserve be Part of the Caroline Bush Scenic Reserve

PURSUANT to the Land Act 1948, and to a delegation from the Minister of Lands, the Assistant Director of Land Administration of the Department of Lands and Survey hereby sets apart the land, described in the Schedule hereto, as a reserve for scenic purposes, subject to the provisions of section 19 (1) (a) of the Reserves Act 1977, and further, pursuant to the Reserves Act 1977, declares the said reserve to form part of the Caroline Bush Scenic Reserve.

SCHEDULE

SOUTHLAND LAND DISTRICT—SOUTHLAND COUNTY

16,395 hectares, more or less, being Section 1244, Block XVIII, Hokonui Survey District. S.O. Plan 9647.

Dated at Wellington this 15th day of June 1982.

W. J. F. BISHOP,

Assistant Director of Land Administration,
Department of Lands and Survey.

(L. and S. H.O. Res. 13/3/3; D.O. 13/107)