

DECISION

THIS publication is a magazine which was privately imported by Mr R. G. Cruickshank and seized at the Auckland parcels post in August 1981. As Mr Cruickshank has disputed forfeiture the Customs Department has referred the magazine to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The magazine measures 215 mm × 280 mm and is approximately 94 pages long. There were no submissions by Mr Cruickshank in support of the publication being declared anything other than indecent. Mr Leloir, for the Comptroller of Customs submitted that the dominant effect of the publication was as follows:

"This magazine is clearly aimed at the male homosexual market. It consists of photos of males in many cases naked, with emphasis on their genitals and the textual content and advertisements are almost entirely homosexually oriented. There is very little material to outweigh the heavy promotion of homosexuality."

The Tribunal accepts Mr Leloir's submission and finds that the dominant effect of the magazine is to promote and encourage homosexual activity. We find that persons are likely to be corrupted by reading the magazine. Indecency between males is still classified as criminal activity under various sections of the Crimes Act in New Zealand (cf s. 140-142 of the Crimes Act 1961). The publication must therefore be considered to be injurious to the public good and indecent.

This classification is in keeping with many other decisions of the Tribunal concerning homosexual activity. Some of those recent decisions have been *Boys International* No. 4 (Decision No. 997); *Riding High* Vol. 8 (Decision No. 1000) and *Play Guy* Vol. 2, No. 24 (Decision No. 975).

For all the above reasons we classify *Blue Boy* as indecent.
District Court Judge W. M. WILLIS, Chairman.

Reservation of Land

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 recreation purposes.

SCHEDULE

WELLINGTON LAND DISTRICT—KAITIEKE COUNTY

6200 square metres, more or less, being Section 11, Block II, Owatua Survey District. Part *Gazette* notice 391016.1. S.O. Plan 33176.

Dated at Wellington this 21st day of June 1982.

W. J. F. BISHOP,
Assistant Director of Land Administration,
Department of Lands and Survey.

(L. and S. H.O. Res. 7/3/170; D.O. 8/5/454)

Reservation of Land

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, and further, pursuant to the Reserves Act 1977, declares the said reserve to form part of the Hakarimata Scenic Reserve.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT—RAGLAN COUNTY

13,680 hectares, more or less, being Allotments 477 and 478, Pepepe Parish, situated in Block III, Newcastle Survey District. All *New Zealand Gazette* 1982, page 336. S.O. Plan 51582.

Dated at Wellington this 18th day of June 1982.

W. J. F. BISHOP,
Assistant Director of Land Administration,
Department of Lands and Survey.

(L. and S. H.O. Res. 3/3/21; D.O. 13/76)

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—AUCKLAND CITY

1,4675 hectares, more or less, being part Lot 142, D.P. 42356, situated in Block IX, Rangitoto Survey District. Part certificate of title 1589/44. Subject to a line of pipes for stormwater contained in K.69517 and K.69641.

Dated at Auckland this 10th day of June 1982.

J. V. BOULD,
Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 2/2/131; D.O. 8/3/376)

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—AUCKLAND CITY

6,2437 hectares, more or less, being Lot 248, D.P. 41242, and Lot 253, D.P. 41243, situated in Blocks IX and X, Rangitoto Survey District. All certificate of title 26B/284. Subject to a line of pipes for sewage contained in K.69031.

Dated at Auckland this 17th day of June 1982.

J. V. BOULD,
Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 2/2/312; D.O. 8/3/16)

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—AUCKLAND CITY

3212 square metres, more or less, being Allotment 56, Section 8, Suburbs of Auckland, situated in Block XVI, Waitemata Survey District. Part *New Zealand Gazette* 1952, page 1321. S.O. Plan 35813.

Dated at Auckland this 17th day of June 1982.

J. V. BOULD,
Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 2/2/6; D.O. 8/5/502)

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—AUCKLAND CITY

4793 square metres, more or less, being Lot 19, D.P. 39224, situated in Block III, Titirangi Survey District. All certificate of title 24D/483.

Dated at Auckland this 17th day of June 1982.

J. V. BOULD,
Assistant Commissioner of Crown Lands.

(L. and S. H.O. Res. 2/2/6; D.O. 8/3/411)

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.