

Stainless steel rod, hot rolled, in coil form, having a diameter of 9 mm or less.

Dated at Wellington this 29th day of July 1982.

P. J. MCKONE, Comptroller of Customs.

The Misuse of Drugs Act 1975—Notice of Authorisation

NOTICE is hereby given that the Minister of Health, acting under section 19 (1) of the Misuse of Drugs Act 1975, has authorised the public health pharmacist named in the Schedule hereto to enter the premises of any person who carries on the business of a producer, manufacturer, seller or distributor of any controlled drug, or who otherwise undertakes the supply or administration of any controlled drug and to demand the production of, and to inspect any books or documents relating to dealings in any controlled drug and to inspect, weigh, measure and record the stocks of controlled drugs.

SCHEDULE

MYFANWY FULFORD

Dated at Wellington this 21st day of July 1982.

J. R. MARTIN,
Deputy Director-General of Health (Admin.).

Decision No.: 1023

Reference No.: Ind. 7/82

Before the Indecent Publications Tribunal

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by the New Zealand Police for a decision in respect of the following publication:

Pornography or Art by Poul Gerhard, published by Word and Pictures Limited, Vine Court London E1.

Judge W. M. Willis (chairman),
Mesdames H. B. Dick, L. P. Nikera, Messrs J. V. B. McLinden, I. W. Malcolm.

Hearing: 25 May 1982.

Decision: 16 June 1982.

Appearances: Inspector D. L. Bates for Police. Written submissions from Importer, Waverley Publishing Co. Ltd.

Pornography or Art? by Poul Gerhard, published by Words and Pictures Ltd., Vine Court, London, is an outsize soft covered publication of 160 pages. This book was submitted to the Tribunal by the New Zealand Police, by leave of the Minister of Justice, granted on 29 July 1981, pursuant to the provision of section 14 (2) of the Indecent Publications Act 1963.

It should be noted that *Pornography or Art* was published in 1971, a translation of an earlier edition published by Gerhard Erickson in Copenhagen in 1968. The age of the book in itself indicates that it is rather late in the life of the publication to warrant expending time in giving a decision. After the passage of 12 years there will be little likelihood that many copies of the book are in print and available to the public.

In its submission the import states that this title was originally imported in 1977 and apparently it has been on sale continually since then. The Tribunal has been informed that it left the warehouses with an R18 sticker and a submission was made that restriction should continue.

In essence the book is a collection of drawing and sketches, with supporting text, taken from sixteen different sources. The material as presented is historical in scope, and is represented by a selection of artists, authentic in its presentation and appearance.

The main objection to *Pornography or Art* is that many of the drawing are explicit in detail and content, and therefore likely to give offence.

In its submission the Police are of the opinion that "the book is generally balanced and informative in its treatment of the subject matter." The Tribunal agrees with this statement, and further concurs with the Police submission that the book "would appear to merit at least an R18 classification". The only comment to be made placing any classification on *Pornography or Art* is to note the date of publication, for

after 12 years it does seem rather pointless to place any restriction on a book which has been freely available to the general public for this period.

The publication is classified as indecent in the hands of persons under the age of 18.

District Court Judge W. M. WILLIS, Chairman.

Decision No.: 1025

Reference No.: Ind. 15/81

Before 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:

Sundisk Volume 8, Nos. 2, 3 and 4.

Judge W. M. Willis (chairman),
Mesdames H. B. Dick, L. P. Nikera, Messrs J. V. B. McLinden, I. W. Malcolm.

Hearing: 1 April 1982.

Decision: 16 June 1982.

Appearances: Mr Leloir for Comptroller of Customs. No appearance of Importer, Mr W. R. Main.

These publications were privately imported through parcel post and seized at Whangarei. Forfeiture is disputed by the importer so that the Tribunal has been asked to classify them. Each magazine is about 55 pages in length, consisting mainly of photographs, very little text and a few pages of mail order advertisements. They were published in 1969. The photographs are highly contrived and provocative with a great emphasis on the male and female genitalia. The text, though more restrained, does not relate with the photographs. The Tribunal would agree with Mr Leloir that the magazines are predominantly concerned with the prurient and lewd aspects of sex and are devoid of any redeeming feature. They lack honesty of purpose and are injurious to the public good. It is relevant to point out that Volume 7, Nos. 3 and 4 and Volume 8, No. 1, were considered as indecent—Decisions 639–641. The text of those publications is similar to that in those now reviewed. For these reasons the Tribunal classifies *Sundisk*, Volume 8, Nos. 2, 3 and 4 as indecent.

District Court Judge W. M. WILLIS, Chairman.

Decision No.: 1026

Reference No.: Ind. 19/81

Before 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:

Bondage Advocates, Volume 1, No. 2, published by London Enterprises Ltd.

Bondage Life, Volume 1, Nos. 5 and 7, published by Harmony Communications, Box 780, North Hollywood, Ca 91603.

235 Bondage Photos, Volume 1, No. 2, published by London Enterprises Ltd.

Dominated, Volume 1, No. 1, published by London Enterprises Ltd.

Cheryl Rothman in Bondage, Volume 1, No. 1, Volume 2, No. 2, published by London Enterprises Ltd.

Hogtie, Volume 3, No. 10, published by House of Milan Corp., Box 24-080, LA, California.

Judge W. M. Willis, Chairman,
Mesdames H. B. Dick, L. P. Nikera, Messrs J. V. B. McLinden, I. W. Malcolm.

Hearing: 1 April 1982.

Decision: 16 June 1982.

Appearances: Mr Leloir for Comptroller of Customs. Written submissions by importer, Mr J. H. Duston.

These publications were privately imported and seized in Christchurch in November 1980. Forfeiture has been disputed so that they have been referred to the Tribunal for classification.

In the Tribunal's view the description given by counsel for the comptroller fairly represents the contents of each publication. In his submission Mr Leloir said: