

The 8 novels under consideration have, as the Comptroller of Customs states, "a common theme in that they describe in often graphic detail, the development of sexual relationship". He further states that "It would appear however, that the standard of writing is higher than is normally encountered in publications based on this theme", so it would appear that the present publications written by Anonymous, with one exception, differ very little from the example studied in 1971. All have a sexual theme, are provocative, sensual in presentation, even bizarre, but there is no doubt either that each novel is written in an easy to read and flowing style. The exception is *I*. It is subtitled "a sensuous novel of an ultimate love experience" and in the author's preface it is said to be a "mysterious amalgam on love and religion". The sexual theme is more explicit than in the other novels and combined as it is with a religious theme it becomes clearly offensive. *I* is classified as unconditionally indecent.

As far as the other novels are concerned the Tribunal needs to be consistent in making its decision. Also, the publications have been available for some time in hardback form, so any classification given should reflect this factor.

Therefore, in order to be consistent, there would appear to be no reason to differ from Decision No. 294. The Tribunal classifies the 8 publications, *Them*, *Us*, *Two*, *Him*, *Me*, *Woman* and *You* as indecent in the hands of persons under the age of 18 years.

W. M. WILLIS, Chairman.

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Decision No. 15/84
Reference No. Ind. 9/84

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 in respect of the following publication: *How To*, Vol. 16, No. 2, published by Probe Publications Ltd., United Kingdom.

Chairman: Judge W. M. Willis

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

Hearing: At Wellington, Wednesday, 23 May 1984.

Appearances: C. Hillman for Comptroller of Customs. No appearance of importer, S. Salter, Auckland.

DECISION

This publication was privately imported through Auckland Seafreight in February 1984. The magazine was seized and although the importer disputed forfeiture he later informed the Comptroller that he did not now dispute forfeiture. Nevertheless, the Tribunal has thought it proper to classify this publication.

It is published in English and is subtitled as *A fully illustrated manual journal of sexual techniques*. On page 3, in a statement of policy from the editors, it is stated:

"The editors of this publication believe that a greater understanding of the complexities of human sexuality may help readers of this magazine obtain greater personal fulfilment of happiness.

The editors also share the belief of countless international medical psychiatric and sociological authorities that making frank and honest sexual education material available to mature adults can only bring about a more enlightened community and benefit society as a whole.

The editors make no judgment as to what an adult man or woman should know about sex. They confine themselves to make the information available in a meaningful way to those who seek it."

From the title and subtitle and from the statement of policy the impression is easily gained that this is another sex manual. Such is far from being the case. Nowhere do the qualifications of the authors appear. The text is vulgar and the illustrations offensive. The publication has no literary or artistic merit and its contents are of doubtful validity having regard to the subtitle. Many of the photographs bear little relationship to the text. The appeal would be only for the lewd and prurient. It is classified as indecent.

Dated at Wellington this 15th day of June 1984.

W. M. WILLIS, Chairman.

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Decision No. 16/84

Reference No. Ind. 10/84

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 in respect of the following publications:

Young Lust No. 5, published by Last Gasp, Berkeley, U.S.A.

Checkered Demon III, published by Last Gasp, San Francisco.

Cocaine No. 2, published by Last Gasp, Eco Funnies, San Francisco.

Tits and Clits No. 2, published by Nanny Goat Productions, Laguna, U.S.A.

Chairman: Judge W. M. Willis.

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

Hearing: At Wellington, Wednesday, 23 May 1984.

Appearances: C. Hillman for Comptroller of Customs. No appearance of importer, S. R. Birrell, Auckland.

DECISION

THESE publications were privately imported through Auckland Parcels Post in February 1984. The books were seized and the importer has disputed forfeiture. They have been referred to the Tribunal for classification.

Young Lust No. 5 is a comic with sex as its theme. It is described as being exotic, erotic and neurotic. As the Comptroller says in its satire of sex mores it depicts homosexual acts as well as heterosexual intercourse. *Young Lust No. 1* to 3 were considered by the Tribunal in Decision 686 and 782. The *Young Lust Reader* was also considered in Decision 884. This particular publication is no different from earlier cases and it is classified as indecent.

Cocaine Comix No. 2 utilises the use of cocaine as its theme. In our view the publication attempts to promote and glamorise the illicit use of cocaine which is what the Comptroller submitted. It is classified as indecent.

Tits and Clits No. 2 is a sex based comic poorly produced and crude in the extreme. It is classified as indecent. The *Checkered Demon III* is as the Comptroller submits a combination of violence and sex. It is likewise classified as indecent.

All these publications come from the United States and none have any literary or artistic merit nor any redeeming features.

Dated at Wellington this 15th day of June 1984.

W. M. WILLIS, Chairman.

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Commerce Act 1975

NOTICE is hereby given of the following decisions of the Commerce Commission. The full text of these decisions may be inspected at the Commission's offices, Sixth Floor, 163 The Terrace, Wellington. Copies may be purchased on application to the Commission, P.O. Box 10-273, Wellington.

Decision No. 81—By this decision, dated 31 May 1984, the Commission considered issues of principle in relation to confidentiality and made such an order, pursuant to section 11A of the Act, in response to an application as to the confidentiality of information supplied pursuant to a merger or takeover proposal between Visionhire Holdings Ltd., and Sanyo Rentals Ltd.

Decision No. 82—This decision, dated 7 June 1984, relates to an appeal by the Bulk Gas Users Group against a decision dated 16 March 1984 by the Secretary of Energy approving the maximum price for natural gas sold by the Natural Gas Corporation of New Zealand Limited. In its decision the Commission determines that it has no jurisdiction and declines the application to hear the appeal.

Decision No. 83—This decision, dated 7 June 1984, relates to an appeal by the Bulk Gas Users Group against a decision dated 2 May 1984 by the Secretary of Energy approving the maximum price for natural gas sold by the Auckland Gas Company Limited. By this decision the Commission determines that it will not grant special leave to appeal at this time but adjourned the application *sine die* to permit a more specific application to be made if the appellants so wished.

D. J. KERR, Executive Officer.

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