

Civil Defence Act 1983. The state of Regional Civil Defence Emergency shall come into force at midnight on 2 February 1984.

Time and date of declaration: 4.34 p.m., 2 February 1984.

Declared by:

EVE POOLE,  
Deputy Chairman, Southland United Council.

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*Declaration Terminating the State of Civil Defence Emergency for the Southland Region*

PURSUANT to section 56 of the Civil Defence Act 1983, I, Eve Poole, hereby terminate the state of Regional Civil Defence Emergency declared in respect of Southland at 27 January 1984.

The termination of the state of Regional Civil Defence Emergency shall take effect from 2 February 1984.

Time and date of declaration: 4.34 p.m., 2 February 1984.

Declared by:

EVE POOLE,  
Deputy Chairman, Southland United Council.

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*Declaration of a State of Civil Defence Emergency for the Southland Region*

PURSUANT to section 51 of the Civil Defence Act 1983, I, Eve Poole, hereby declare a state of Regional Civil Defence Emergency to be in force in the Southland region, excluding those areas within the territorial boundaries of the Boroughs of Gore, Mataura, Bluff and Winton and the Counties of Stewart Island, Wallace County Council and Southland County Council. The state of Regional Civil Defence Emergency has been declared in order to enable the exercise of the powers conferred by all of sections 60 to 64 of the Civil Defence Act 1983. The state of Regional Civil Defence Emergency shall come into force at midnight on 9 February 1984.

Time and date of declaration: 5.25 p.m., 9 February 1984.

Declared by:

EVE POOLE,  
Deputy Chairman, Southland United Council.

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*Declaration Terminating the State of Civil Defence Emergency for the Southland Region*

PURSUANT to section 56 of the Civil Defence Act 1983, I, Eve Poole, hereby terminate the state of Regional Civil Defence Emergency declared in respect of the Southland region excluding those areas within the territorial boundaries of the Boroughs of Gore, Mataura, Bluff and Winton and the County of Stewart Island at 2 February 1984.

The termination of the state of Regional Civil Defence Emergency shall take effect from midnight on 9 February 1984.

Time and date of declaration: 5.25 p.m., 9 February 1984.

Declared by:

EVE POOLE,  
Deputy Chairman, Southland United Council.

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Decision No. 2/84  
(Ref. No. IND. 33/83)

*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:

*Chic*, Volume 8, No. 1 (November 1983), LFP (Inc.) Los Angeles, U.S.A.

*First Hand*, Volume 3, No. 2 (October 1983), First Hand Limited, New Jersey, U.S.A.

*Blue Boy*, Volume 83, (September 1983).

*Numbers*, Volume 65 (September 1983), Blueboy Inc., New York, U.S.A.

*Mandate*, Volume 9, No. 7 (October 1983), Modernismo Publications Ltd., New York, U.S.A.

*Stallion*, Volume 2, No. 7 (October 1983), Stallion Publications (Inc.), Derby, U.S.A.

*Chairman*: District Court Judge Willis.

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

*Hearing* at Wellington on the 13th day of December 1983.

*Appearances*: Written submissions by importer, Mr A. B. Fairbairn, Dunedin. Mr C. Hillman for Comptroller of Customs.

DECISION

SINGLE copies of these publications were imported privately through Auckland Airport and were seized in September 1983.

Forfeiture has been disputed prior to the commencement of condemnation proceedings.

*Chic* is published in the United States of America and as Mr Hillman has pointed out is a sexually orientated magazine consisting of photographs and written material. Many of the photographs are of females in highly contrived positions so as to expose genitalia. In October 1982 (Decision 1041) an earlier edition of *Chic* was classified as indecent. This publication is little different from that earlier considered by us and has some resemblance to *Hustler* which is subject to a two year restriction order (Decision 1053).

*First Hand*, Volume 3, No. 2 is published in the United States of America and is clearly directed towards the male homosexual. It consists of stories and articles which lack artistic or literary merit. They are crude in content and deal with homosexual activities. There are some photos and some drawings all of a homosexual nature.

*Numbers* and *Blueboy* each come from the same publishing house in the United States of America whilst *Mandate* and *Stallion* come from a different house in the United States. Earlier copies of these publications have been considered by the Tribunal (Decision 855 of April 1976—*Stallion*; and Decision 1065 of June 1983—*Blueboy*, *Numbers* and *Mandate*).

These publications are similar in content to the other copies. Mr Fairbairn made written submissions which we quote in full:

- "1. The freedom of the individual to read publications of ones own choosing, purchased overseas or anywhere should not be controlled by an Act of Parliament.
2. All publications were purchased at normal bookstalls including the Honolulu Airport Bookstall where they were on full display to the public.
3. With so many New Zealanders travelling overseas frequently and able to purchase without question reading matter of their own choosing it is difficult to understand why any publication when returned to New Zealand with the reader becomes indecent on arrival.
4. United States Law, for example has now accepted that the purchaser has the final decision in choosing reading material.
5. The Indecent Publications Act 1963 is obviously outdated and should be revised with todays many alternative life styles and normal overseas attitudes.
6. We cannot remain for ever protected from ourselves by an Act of Parliament".

Some of the observations we can accept and we are well aware that some publications banned in New Zealand are freely available overseas. We are well aware also that there is a body of opinion in New Zealand which regards the censorship of books and magazines as being unnecessary. By the same token there is a strong body of opinion which would not only approve this censorship but would like to see censorship more strict. It is not this Tribunal's function to take one side or the other. Its duty is to carry out its function in accordance with the statute. Because of the view taken in earlier decisions we have no hesitation in classifying each of these publications as indecent.

Dated at Wellington this 10th day of February 1984.

W. M. WILLIS, Chairman.

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Decision No. 3/84  
(Ref. No. IND. 31/83)

*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:

*Soho Studios*.

*Le Salon Catalogues* and 9 Pamphlets.

*Chairman*: District Court Judge Willis.