

type publications have been considered by the Tribunal several times so that its views should be well known. (See Decision 1036, 1039, 1061, and 1070).

Both publications are classified as indecent.

Dated at Wellington this 20th day of December 1983.

W. M. WILLIS.

3

Decision No. 1086
(Ref. No. IND. 29/83)

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 decision in respect of the following publications:

Rustler, Vol. 7, No. 9, Gold Star Publications, U.K.

Home Grown International, Vol. 1, No. 10, Alchemy Publications, U.K.

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: No appearances of Importer, D. Agnew, Wellington. C. Hillman for Comptroller of Customs.

DECISION

THESE publications were privately imported through Wellington and seized July 1983. The importer disputed forfeiture prior to the commencement of the condemnation proceedings.

Rustler is an English publication and can be called a fully illustrated catalogue of sex aids. There are a series of articles all of a sexual nature but having no literary merit. There are pages of advertisements for sex aids of all types.

The photos are largely of nude or nearly nude females mainly in positions to expose genitalia. There are some photos of males with genitals exposed and there are photos of genitalia exhibiting sexual aids. There is nothing in this publication to remove it from the classification of indecent. It is clearly concerned with the prurient and lewd aspects of sex. It is patently offensive because of the manner in which the subject-matter is depicted. It has no literary or artistic merit and because the likelihood of corruption far outweighs the possible benefit it is clearly injurious to the public good.

Home Grown, Vol. 1, No. 10, is an English publication clearly devoted to the promotion of the use of cannabis. In April 1980 we had to consider *Home Grown*, Vol. 1, No. 2, which appears to have come from the same publication house. (See Decision 951.) We have no difficulty in finding Vol. 1, No. 10, to be indecent for the same reasons as we found No. 2 to be indecent.

Both publications are classified as indecent.

Dated at Wellington this 20th day of December 1983.

W. M. WILLIS.

3

Decision No. 1087
(Ref. No. IND. 30/83)

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 decision in respect of the following publications:

Hot Black Hunks, Third World Studio.

Sex Scenes No. 2, Eagle Productions

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: No appearance of Importer, B. D. Evans, Auckland. C. Hillman for Comptroller of Customs.

DECISION

THESE 2 publications were privately imported through Auckland Parcel Post and seized in July 1983. Forfeiture has been disputed by the importer prior to the commencement of condemnation proceedings.

Hot Black Hunks is published in the United States and consists almost entirely of photographs of nude black males in nearly every case exposing the penis quiescent or in erection. In some photos the model is plainly masturbating and in others has clearly just

finished masturbating. There is no text apart from 2 pages of advertisements for sexual aids.

Sex Scenes No. 2 is published by Eagle Publications and would seem to come from the United States. The text which is minimal commences in the middle of a sentence and it consists of 2 stories concerning homosexual behaviour in one case between 2 individuals and in the other between 3. The text is luridly illustrated with black and white photographs of nude or nearly nude males engaged in a series of homosexual encounters. Neither publication can claim any literary or artistic merit. They are predominantly concerned with prurient and lewd aspects of sex. The subject-matter is patently offensive and concerns behaviour which is criminal in New Zealand. The likelihood of corruption far outweighs possible benefit. They are clearly injurious to the public good.

They are classified as indecent.

Dated at Wellington this 20th day of December 1983.

W. M. WILLIS.

3

Whangarei City—Whangarei County Boundaries Definition Notice 1983

PURSUANT to section 48 of the Local Government Act 1974, the Secretary for Local Government gives the following notice:

NOTICE

1. This notice may be cited as the Whangarei City—Whangarei County Boundaries Definition Notice 1983.

2. The boundaries of Whangarei City and Whangarei County are hereby defined as set out in the Schedules hereto, those boundaries having been altered by Order in Council published in the *New Zealand Gazette*, 17 September 1981, No. 108, page 2573 and which came into force on 1 October 1981.

FIRST SCHEDULE

BOUNDARIES OF WHANGAREI CITY

ALL that area, in the North Auckland Land District, containing 49 square kilometres, more or less, bounded by a line commencing at a point on the right bank of the Waitaua Stream in line with the north-eastern boundary of Lot 1, D.P. 90821 in Block VIII, Purua Survey District and proceeding easterly generally along that bank to its intersection with the right bank of the Hatea River in Block V, Whangarei Survey District; thence south-easterly generally along that bank to the northern side of Parau Valley Road; thence easterly along that roadside to the left bank of the Hatea River; thence southerly along that bank to its intersection with the north-western side of Whareora Road; thence south-westerly along that roadside to the south-eastern corner of part Allotment W17, Parahaki Parish; thence south-easterly along a right line to the north-western corner of Allotment 83A, Parahaki Parish; thence easterly along the northern boundaries of that Allotment 83A and Lot 1, D.P. 91633, to the northernmost corner of part Allotment 84, Parahaki Parish; thence southerly along the eastern boundaries of Lot 1, D.P. 91633, and Lots 4 and 3, D.P. 37540 in Block IX, Whangarei Survey District, to the southernmost corner of the last-mentioned Lot 3;

Thence north-westerly and westerly along the north-eastern and northern boundaries of that part of Parahaki Reserve held as a Bird Sanctuary in certificate of title 13D/1308 and the last-mentioned boundary produced to the middle of Hatea River; thence southerly generally down the middle of that river to a point in line with the south-western boundary of part Parahaki 1, comprised in certificate of title 542/37; thence south-easterly to and along that boundary and north-easterly along the south-eastern boundary of that part Parahaki 1 to the northernmost corner of part Parahaki 1, contained in certificate of title 29A/1194; thence southerly along the generally western boundary of part Parahaki Reserve comprised in certificate of title 2B/1324 to its southernmost corner; thence south-easterly generally along the generally north-eastern boundaries of Lot 47, Deeds Plan 60, Lot 55A, Deeds Plan 67, the northern end of Dundas Road to its easternmost corner, and along a right line to the westernmost corner of Lot 4, D.P. 58065; thence north-easterly along the north-western boundaries of that Lot 4, Lots 3 and 2, D.P. 58065 and Lot 3, D.P. 46522 to the northernmost corner of the last-mentioned Lot 3; thence south-easterly along the north-eastern boundaries of that Lot 3, Lot 1, D.P. 58065, Lot 1, D.P. 70352 the end of Memorial Drive and Lot 1, D.P. 53068 to the easternmost corner of the last-mentioned Lot 1;

Thence westerly along the southern boundaries of parts Allotment W93, and Allotment E93, Parahaki Parish, to the southernmost corner of that Allotment E93; thence due south to the middle of Old Parua Bay Road; thence south-westerly generally along the middle of that road to a point in line with the northern boundary of Lot 28, D.P. 70057; thence easterly to and along that boundary to its north-eastern point; thence south-easterly and south-westerly