

Dated at Auckland this 21st day of December 1984.

G. SHAW, Secretary,
for Transport Licensing Authority.

Decision No. IND 27/84
Reference No. IND 13/84

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 for a decision in respect of the following publications:

High Low Boom published by Ken Hale Publications, U.S.A.

How to Kill, Vol. 5 published by Paladin Press, U.S.A.

Improvised Weapons of the American Underground published by Desert Publications, U.S.A.

Field Expedient Methods of Explosives Preparations published by Desert Publications, U.S.A.

Chairman: Judge W. M. Willis.

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

Hearing: Wellington, 8 November 1984.

Appearances: Written submissions from Importer, N. Bell; R. A. Simpson for Comptroller of Customs.

DECISION

THESE publications are single copies imported through Mt Maunganui. Forfeiture has been disputed so that they come before the Tribunal for classification. It is, we think, easiest if we quote what was said by Mr Simpson who appeared for the Comptroller:

High Low Boom can be compared with *Explosives and Propellants from Commonly Available Materials* which was considered indecent by the Tribunal in Decision 7/84 of 1 May 1984. Published by Ken Hale Publications of Ohio, U.S.A. it contains clear and relatively simple instructions on the preparation of explosives and propellants.

How to Kill Vol. 5, written by John Minnery and published by the Paladin Press of the U.S.A. It is a book explicitly and virtually solely devoted to describing how to kill using a variety of conventional and other weapons. Like the book *Bare Kills* which the Tribunal found to be indecent in Decision 1081 of 13 September 1983, this publication could be very dangerous in the wrong hands.

Similar to *High Low Boom* the book *Improvised Weapons of the American Underground* contains details on explosives preparations but goes further by containing copies from blueprints for an automatic weapon. The plans are described as being "faithfully reproduced from originals" and while lacking a little in drafting techniques it is felt that they could be followed by any person with a rudimentary knowledge of engineering. The book compares with *Home Workshop Guns for Defence and Resistance*, two volumes of which were found to be indecent in Decision 1081 of 13 September 1983.

Field Expedient Methods of Explosives Preparations published by Desert Publications of the U.S.A., deals solely with the preparation of explosives. The instructions are simple to the extent that the lack of finer detail could be dangerous to any person to follow them.

Over the past 18 months or so there appears to have been a number of books of this type imported into New Zealand. They can lay no claim to literary or artistic merit nor can any question of prurience arise. The plain fact is that in the wrong hands these publications could become highly dangerous. The use of explosives in competent hands has an element of danger. In the hands of the incompetent the dangers are enormous. We have seen from the past few months violence in many forms with the use of explosives being not unusual.

After a hearing, but before the decision was released, submissions were received from the importer Nelson Bell. He said that he had a lawful interest in the subject matter of the books in that they related to firearms and ammunition. The interest in these subjects went back many years. He produced a copy of his firearms licence. Mr Bell's main submission was that it seemed incongruous that as the holder of a firearms licence and as a responsible citizen he should not be allowed access to these publications. He also drew attention to the fact that school textbooks did have some information regarding explosives. We doubt very much whether there would be many in the community who would be able to use the excerpt from a textbook. The formulae would be a sufficient barrier. He drew attention to Henley's 20th Century Book of Formulas which gives in some detail the manufacture of certain explosives. It would require some skill to use that book if for no other reason than it would take some finding.

The books we have before us are explicit and expressed in more simple terms. The Tribunal has on earlier occasions pointed out that whilst there may be no objection to the responsible members of the community having books of this nature in their possession, possession of the same books in the hands of the irresponsible could be highly dangerous. We hold to the view that it is better to have a total ban on the sale of these books rather than to attempt a restriction which would be difficult to enforce.

All publications are classified as indecent.

Dated at Wellington this 19th day of December 1984.

W. M. WILLIS, Indecent Publications Tribunal.

Private Schools Conditional Integration Act 1975

PURSUANT to section 10 of the Private Schools Conditional Integration Act 1975, notice is given that a supplementary integration agreement has been signed between the Minister of Education and the proprietor of St Patrick's School, Bryndwr.

The said supplementary integration agreement comes into effect on 11 December 1984. Copies of the supplementary integration agreement are available for inspection without charge by any member of the public at the Department of Education, Head Office, National Mutual Building, Featherston Street, Wellington and at regional offices.

Dated at Wellington this 19th day of December 1984.

J. R. WILLIAMSON, for Director-General of Education.

Notice to Set Apart and Define a Special Quarantine Ground at Trentham (No. 3422; Ag. 6/4/3/0/1)

NOTICE is hereby given that pursuant to section 11A (1) of the Animals Act 1967, the land and premises of Wrightson NMA Ltd., part Section 98B, 99 Hutt District, Block 1, Rimutaka Survey District, is hereby declared to be a special quarantine ground for the detention of imported animals.

Dated at Wellington this 11th day of January 1985.

G. SCHWARZ, for Director-General.

Transport Licensing Authority Sitting

PURSUANT to sections 121 and 135 of the Transport Act 1962, as amended by the Transport Amendment Act (No. 2) 1983, the Dunedin District Transport Licensing Authority (F. H. K. Moore), gives notice of the receipt of the following application and will hold a public hearing in the Board Room, Automobile Association (Otago) Inc., 450 Moray Place, Dunedin on Thursday, the 7th day of February 1985, commencing at 9.30 a.m. to hear evidence for or against granting it.

A85/1 Job Alexander Hughes, Dunedin: Application to amend Continuous Taxicab Service Licence No. 5795 to authorise the licensee to carry unaccompanied goods subject to the following conditions:

- Hirings to be undertaken only through radio-telephone facilities.
- Charges for these hirings shall be in accordance with the scale of taxi charges as approved from time to time by the Secretary for Transport.
- All goods must be carried in the closed luggage boot.
- No one item carried to exceed 12 kg gross weight.
- No person or organisation shall undertake any advertising or soliciting to encourage such hirings.

(Tonkinson Wood & Adams Bros., P.O. Box 803, Dunedin).

Dated at Dunedin this 8th day of January 1985.

D. A. BATCHELOR, Secretary.

Dunedin District Transport Licensing Authority.

Transport Licensing Authority Sitting

PURSUANT to sections 120, 121, 131 and 135 of the Transport Act 1962, as amended by the Transport Amendment Act (No. 2) 1983, the Dunedin District and No. 10 District Transport Licensing Authority (F. H. K. Moore), gives notice of the receipt of the following applications and will hold a public sitting in the Conference Room, Ministry of Transport, 245 Cumberland Street, Dunedin on Monday, the 4th day of February 1985, commencing at 9.30 a.m. to hear evidence for or against granting them.