

Therefore if the programme was broadcast on a day when advertising programmes were not permitted, there was a breach of the warrants.

It follows that there was a failure clearly to distinguish the advertising material from the other programme matter as indeed would no doubt be conceded by the corporation since it did not consider it was broadcasting an advertisement.

With regard to the statement made about the availability of the book, the Tribunal does not believe that the statement in itself constitutes an advertisement. It considers that it is reasonable to make such information available provided there is no payment for doing so directly or indirectly. In this case it is inherently part of the programme which we have found to be an advertising programme. If we had not so found the programme then we do not believe, on the facts as we have them, that the broad statement made could be proved to be intended to promote the interests of the publisher.

We would point out that we have considered this complaint only on the basis of some correspondence and without sworn evidence and cross-examination of witnesses. It may well be that a different conclusion might be arrived at in relation to the reference to the availability of the book but on balance we cannot uphold the complaint in that respect. We would however point out that there is a fine distinction and the fact that Beckett Publishing were prepared to sponsor the programme at least raises the possibility that that statement itself would constitute an advertisement.

We have found that the programme as a whole did constitute an advertisement and therefore there was a failure to distinguish advertisements from other material.

We note that the Broadcasting Amendment Act 1985 which came into force on 29 March 1985, inserted a new section 73A to remove from the warrants the definition of when advertising programmes could be broadcast and made statutory provision for advertising days and hours. Subsection (2) of the new section 73A provides that nothing in the new Act prevents the inclusion in a programme broadcast from a television station on a Sunday of a credit in respect of a sponsorship arrangement made under the rules.

It is to be noted that the subsection does not alter the definition of an advertisement but merely excuses the broadcast of sponsorship credits on Sundays. It would not deal with, for instance, the nub of Mr Simpson's complaint that advertising programmes are not sufficiently distinguished from other programmes in a case such as that complained about.

It is also appropriate to mention that it is quite possible that a contribution to a programme by a sponsor would not in every case constitute the programme an advertising programme. The mere acknowledgement in a programme credit for instance that a company was a sponsor of a programme on opera would not constitute that programme necessarily an advertising programme unless the programme or part of it was intended to promote the interests of that sponsor or to promote any product or service for the commercial advantage of that sponsor. We do not find that the mere acknowledgement of the name of the supporter or contributor to a programme in this respect is intended to be caught by the definition of advertising programme.

It is different of course where the programme is more obviously intended to promote the interests of a person, product or service for the commercial advantage of any person. The Tribunal also observes that it may be appropriate for the corporation to reveal more publicly the extent of its sponsorship if it seeks to rationalise these situations with the appropriate amendments to legislation. It may well be considered reasonable that, in watching the programme, the viewers should know whether or not the Potato Board is paying for the whole programme or whether it has only made a minor contribution. The host's emphasis on the use of potatoes can then be considered in the light of the extent of their support for the programme.

This complaint has revealed the necessity to rationalise the situation. In view of the extension of advertising days, the Rules Committee should consider amendments to the rules as to advertising minutes in the case of sponsored material and the rules relating to clearly distinguishing programme from advertising material.

Dated at 25th day of November 1986.

Signed for the Tribunal:

R. BOYD-BELL, Member.

Transport Licensing Authority Sitting

PURSUANT to section 136 of the Transport Act 1962 the No. 10 District Transport Licensing Authority (F. H. K. Moore), gives notice

of the receipt of the following application and will hold a public sitting in the Conference Room, Ministry of Transport, 245 Cumberland Street, Dunedin on Monday, 22 December 1986 commencing at 9.30 a.m. to hear evidence for or against granting it.

A10/86/95 Vickers Passenger Services Ltd., Balclutha, Transfer Continuous Taxicab Service Licence No. 5710 from Keith Desmond Edwards. (Aspinall Joel & Co., P.O. Box 1384, Dunedin.)

Dated at Dunedin this 26th day of November 1986.

D. A. BATCHELOR, Secretary.

No. 10 District Transport Licensing Authority.

Pharmaceutical Society of New Zealand—Results of Elections

NOTICE is hereby given of the results of an election of members of the Council of the Pharmaceutical Society of New Zealand held on 24 November 1986.

Auckland District

Mr D. E. Buckle, Mr J. S. Danby and Mrs E. A. Hawthorn being the only candidates, I, declare them duly elected.

Wellington District

Four candidates were nominated for 2 vacancies. Three hundred and sixty-one ballot papers were issued, 217 were returned and the poll resulted.

Mr G. B. Caves	123
Mr A. B. Drummond	65
Mr J. A. Dunlop	86
Mr R. P. Rosenberg	145

I therefore declare Mr G. B. Caves and Mr R. P. Rosenberg duly elected.

Canterbury District

Mr E. C. Shaw being the only candidate, I declare him duly elected.

Otago District

Mr A. R. Graham being the only candidate, I declare him duly elected.

North Island

Five candidates were nominated for 3 vacancies. One thousand three hundred and forty-three ballot papers were issued, 496 were returned and the poll resulted.

Mr O. R. Diggelmann	329
Mr B. L. Irvine	380
Mr K. Isherwood	221
Mrs B. L. Sinclair	313
Mr M. A. Trevean	155
Informal	1

I therefore declare Mr O. R. Diggelmann, Mr B. L. Irvine and Mrs B. L. Sinclair duly elected.

South Island

Three candidates were nominated for 1 vacancy. Three hundred and ninety-one ballot papers were issued, 148 were returned and the poll resulted.

Dr D. W. J. Clark	60
Mrs J. G. Donoghue	51
Dr R. H. McKeown	37

I therefore declare Dr D. W. J. Clark duly elected.

Dated at Wellington this 24th day of November 1986.

Dr PETER F. COVILLE, Registrar.

Pharmaceutical Society of New Zealand.

Private Schools Conditional Integration Act 1975

PURSUANT to section 10 of the Private Schools Conditional Integration Act 1975, notice is given that supplementary integration agreements have been signed between the Minister of Education and the proprietors of the following 12 schools:

St Marys School, Ellerslie.
Our Lady of the Sacred Heart School, Epsom.
Marist School, Herne Bay.
Monte Cecilia School, Hillsborough.
Star of the Sea School, Howick.
Pompallier School, Kaitaia.
Christ the King School, Owairaka.
St Patricks School, Panmure.
St Ignatius School, St Heliers.