

as a debt due to the Crown and may be paid to the Secretary of Energy of the Ministry of Energy or otherwise as the Minister may by notice in writing to the grantee direct.

9. Except so far as may be expressly set out in this consent, this consent shall not be deemed to authorise the generation of electricity by the use of water for consumption by any person other than the grantee or consumption on any premises other than premises occupied by the grantee.

10. The grantee shall at all times maintain all works for the time being in use so as to be in good and proper working order in accordance with the requirements of the regulations and at all times maintain all works erected by the grantee pursuant to the consent whether in use or not in such good and safe condition as in the opinion of the Minister to be unlikely to cause any danger to life or property.

11. It shall be lawful for any person acting as an Inspecting Officer of the Ministry of Energy at all times after the grant of the consent whether during or after the construction of any works to enter upon and inspect such works for the purpose of ascertaining whether these conditions are complied with, and for that purpose to require that any motive machinery be set in motion and to take specimens of material, make tests and measurements, and do all other things reasonably necessary or convenient for the purposes of such inspection, and the grantee will at all times comply with the reasonable requirements of any such person.

12. If the parties so agree it shall be lawful at any time for the grantee to surrender this consent and the Minister to accept such surrender subject to such terms and conditions as may be agreed upon.

13. Neither the granting of the consent nor anything in the consent expressly or by implication contained shall affect or prejudice any liability imposed by law on the grantee to pay compensation or damages to any person arising by reason of the exercise by the grantee of the powers conferred by the consent.

14. The rights granted by the consent shall be subject to all existing rights theretofore granted and validly held and enjoyed under any enactment or otherwise.

15. If at any time during the continuance of the consent the grantee fails or neglects to observe, perform, and comply with any of the provisions in the consent expressly or by implication contained, or fails to comply with the acts and regulations set out in clause 1 of this consent, or otherwise makes default in complying with the terms of the consent, then the Minister may forthwith by notice in writing to the grantee revoke and determine the consent.

16. The grantee of this consent must give notice as hereinafter provided to the Minister of Energy of any change of address of the grantee, or of the registered office, or usual place of business of the grantee.

17. (a) Any notice to be given to the grantee shall be sufficient if served personally on the grantee or (in the case of the grantee being a corporate body) delivered at the registered office or usual place of business of the grantee to a person appearing to have for the time being the control of such premises, or sent by registered post letter addressed to the grantee at the postal address set out in the application for a consent or any subsequent address notified by the grantee to the Minister.

(b) Any notice to be given on the part of the Minister shall be sufficient if given in writing signed by the Minister or by any person acting under the authority of the Minister.

(c) Any notice to be given to the Minister shall be sufficient if given in writing delivered to or sent by registered post letter addressed to the Secretary, Ministry of Energy, Private Bag, Wellington.

SCHEDULE

Location and General Description of Works

Location: all being in Run 773 Matukituki Survey District.
Works:

(a) Headworks on the Niger Stream consisting of a dam intake and pipeline leading to the powerhouse giving a static head of approximately 150 metres.

(b) Pelton wheel and powerhouse with all necessary equipment for generating electricity having a capacity of 10 kilowatts.

(c) Tail race leading from the powerhouse to Niger Stream.

The said works are as shown on the plan marked NZED 809 deposited in the office of the Electricity Division, Ministry of Energy at Wellington.

Signed at Wellington this 17th day of December 1986.

R. J. TIZARD, Minister of Energy.

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Decision No. 1/87
Reference No. IND 9/86

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 decisions in respect of the following publications:

- (1) *Fancy Annual No. 1* published by Undercounter Publications,
- (2) *Fancy Annual No. 2* published by Undercounter Publications:

Chairman: Judge R. R. Kearney,

Members: Mrs H. B. Dick, Mrs R. Barrington, A. J. Graham and Ms K. Hulme.

Hearing: at Wellington on 24 October 1986.

Appearances: No appearance of Importers O. D. & J. E. Williamson. P. J. Eggleton for Comptroller of Customs.

DECISION

THESE publications were privately imported through the port of Dunedin in April 1986. They were seized by the Collector of Customs, Dunedin and the importer has subsequently disputed forfeiture. The publications were accordingly referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The two publications are presented in magazine form and the principal content of each are catalogues advertising and displaying various types of clothing, harnesses and accessories available for those persons with an interest in bondage and discipline (with sexual connotations) as well as rubber and leather clothing.

Each publication also contains a short story spread over some four pages, each of which deals with bondage and discipline situations of the kind indicated in the advertising material. The Tribunal has on a number of previous occasions classified books of a similar nature as indecent and two of those decisions were referred to the Tribunal by the Comptroller of Customs in the submission made by Mr Eggleton, they being decisions 1039 and 6/84 dated 7 October 1982 and 14 February 1984 respectively.

The publications clearly pander to a select group who have a fetish interest in the bizarre and sexually deviant behaviour depicted by the models and by the clothing and equipment which they are using as shown in the photographs. The Tribunal is unanimous that such displays of bondage and violence against both male and female represent a real and patent danger to the public of a kind that is clearly injurious to the public good. Both publications are accordingly classified as unconditionally indecent.

Dated at Wellington this 6th day of January 1987.

R. R. KEARNEY, Chairman,
Indecent Publications Tribunal.

Transport Licensing Sitting

PURSUANT to section 140 of the Transport Act 1962 as amended by the Transport Amendment Act No. 2, 1983, the No. 7 Transport District Licensing Authority, (W. O'Brien), gives notice that he will hold a public inquiry in the Conference Room, Fifth Floor, Departmental Building, Chapel Street, Masterton commencing Thursday, 19 February 1987 at 11 a.m. Public Inquiry: Donald William Watson, Masterton.

Pursuant to section 140 of the Transport Act 1962 a public inquiry will be held into the operation of Taxicab Service Licence No. 15378 to decide whether or not the licence is being carried on in conformity with its terms and conditions.

Dated at Wellington this 12th day of January 1987.

J. MOIR, Secretary.

No. 7 Transport District Licensing Authority.

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Transport Licensing Authority Sittings

PURSUANT to the Transport Act 1962 the Auckland Transport Licensing Authority, the No. 2 Transport District Licensing Authority and Harbour Ferry Licensing Authority (J. M. Foster), gives notice of the receipt of the following applications and will hold a public sitting in the Conference Room, Ninth Floor, Customhouse, Quay Street, Auckland at the time and date stated to hear evidence for or against granting them.