

heterosexual orientation consisting of the standard photographs of nude or partly clothed female models, articles, cartoons, video reviews and the like. Both Mr Wotherspoon and Mr Ellis submitted to the Tribunal that an age classification was justified and the Tribunal agrees with that submission. The publication is accordingly classified in the hands of persons under the age of 18 years.

Dated at Wellington this 15th day of November 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go14369

Decision No. 50/88

Reference No.: IND 39/88

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 publication:
Penthouse (Aust) Vol 9, No 8, August 1988:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham and S. C. Middleton.

Hearing at Wellington on the 13th day of October 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs.
G. F. Ellis for importer, Gordon and Gotch (NZ) Ltd.

Decision

This publication is now the subject of a serial restriction order classifying it as indecent in the hands of persons under the age of 18 years and therefore no decision is necessary in respect of this particular issue which is covered by that serial order.

Dated at Wellington this 15th day of November 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go14370

Decision No. 51/88

Reference No.: IND 44/88

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 publication:
Making Love:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham and S. C. Middleton.

Hearing at Wellington on the 13th day of October 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs.
No appearance by or on behalf of the importer.

Decision

This publication was commercially imported by London Bookshop, Wellington through Parcels Post on 21 June 1988 and seized by the Collector of Customs. The importer has disputed forfeiture and the publication has been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. This publication was first produced in 1976 in the United States of America and has been the subject of reprints over a period of years. The publication purports to be a guide on sexual fulfilment and sets out to show the reader by various exercises how to be his or her own sex therapist and to identify the reasons for his or her likes or dislikes in matters of sexuality. The Tribunal agrees with the Comptroller of Customs that the publication is presented in a reasonable manner with no undue emphasis placed on the prurient aspects of sex. The Tribunal is satisfied that it is a genuine publication and would be of

considerable interest to many readers. The publication includes matters relating to contraception, sterilisation and abortion and accordingly the Tribunal is satisfied that it would be indecent in the hands of younger readers. The Tribunal accordingly classifies this publication as indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 15th day of November 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go14371

Decision No. 52/88

Reference No.: IND 47/88

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:
Razzle Vol 4, No 8; *Razzle* Vol 1, No 13; *Razzle* Vol 5, No 10; *Mandate*, June 1986; *The Best of Men Only* No 16; *Men Only* Vol 51, No 3; *Men Only* Vol 51, No 6; *Parade* No 43; *Parade* No 57; *Parade* No 62; *Parade* No 66:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham and S. C. Middleton.

Hearing at Wellington on the 13th day of October 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs.
Mr Highley, importer, trading as Exchange Traders.

Decision

These publications are part of a shipment imported through Dunedin in March 1988. The publications were seized by the Collector of Customs and the importer has disputed forfeiture. The publications have therefore been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. The Tribunal has previously issued a serial restriction order ruling that *Mandate*, *Parade*, *Men Only* and *Razzle* are indecent in the hands of persons under the age of 18 years in Decisions 13/88, 15/88 and 18/88. The issues now before the Tribunal were however imported prior to the serial restriction orders coming into force and the Tribunal accordingly classifies each of these as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 15th day of November 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go14372

Decision No. 53/88

Reference No.: IND 23/88

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 publication:
Hustler April 88, *Swank 84*:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham and S. C. Middleton.

Hearing at Wellington on the 28th day of July 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs.
No appearance by or on behalf of Importer.

Decision

Although there was no appearance by or on behalf of the importer the Tribunal had before it a letter from the importer in which he pointed out to the Tribunal that these were forwarded to him as personal mail from a friend overseas and