

Blacks in close-ups produced in the studio but simulating real Rugby situations from the dressing room to play on the field.

There are several All Blacks being tackled and in one case Mr Baker alleges the advertisement clearly shows a player being tackled after he had kicked the ball which was clearly a late tackle in breach of the rules of Rugby. He added that he did not think that the commercial was in good taste. He later made it clear however that he had not intended to complain on the grounds that it was an advertisement associated with alcohol or on the grounds of good taste.

Later, in referring his complaint to the Tribunal, he claimed that the promotion breached certain rules in that the Corporation failed to take into consideration currently accepted norms of decency and taste in language and behaviour, bearing in mind the context in which any language and behaviour occurs, to be mindful of the effect any programme may have on children during the general accepted listening periods, to respecting the principles of law which sustain our society, and that advertisements must conform to standards of good taste and decency.

#### *Consideration by the Corporation:*

The Corporation took the complaint seriously. It pointed out that the quick cutting of the commercial may have given the impression of a later tackle but the Corporation noted that the rules of Rugby allow that a tackle may begin before the player releases the ball. In this case, the launching into the tackle could well have begun before the kick occurred but, as the launching into the tackle was out of sight, it was not possible to determine the point one way or another. Notwithstanding, it was not considered a factor which could have contributed to any breach of Broadcasting Rules.

The Corporation also declined to uphold the complaint on the grounds of a breach of standards of good taste and decency or a breach of the rules related to alcohol.

#### *Decision:*

The Tribunal has seen the commercials and has rejected the complaint on both grounds.

First, they were intended to promote Rugby and doubtless would not have been presented by All Blacks if they had been considered detrimental to Rugby.

Secondly, the Corporation's point about the whole scene not being visible is valid. Furthermore the whole commercial presentation is totally artificial and is seen by all to be a stylised presentation in slow motion not a depiction of an actual incident.

If the depiction of a late tackle on television was considered to be in breach of the above-named general programme rules then it would make the presentation of live rugby coverage somewhat difficult.

The Tribunal does not regard the matter as a serious one, does not consider in any case that the complainant has made out the factual basis of the complaint and is not satisfied that even if he had, that it is a basis for either a breach of the general programme rules or a breach of the standards of good taste and decency in advertising.

Mr Baker changed the basis of his complaint after the Corporation declined to uphold it. He extended the number of rules alleged to have been breach as we have mentioned earlier.

He then said he did not complain about the use of the word Steinlager and his original reference to good taste was an observation not a complaint.

However he reintroduced good taste in his extended citing of rules.

The Tribunal is satisfied that there is no substance at all in his principal complaints and that the complaint as varied merely attempts to cite further rules which he could have raised in his original complaint which showed a familiarity with them.

In any event we found there was no ground for extending the inquiry to the other rules as the central issues were raised by and considered properly by the Corporation.

The late tackle issue is without merit and the complaint properly rejected in all respects by the Corporation.

The Tribunal declines to uphold the complaint.

#### *Co-opted Members*

The Tribunal co-opted Messrs Sheehan and Stevenson as persons whose qualifications or experience were likely to be of assistance to the Tribunal in dealing with the complaint. They took part in the consideration of the complaint and the deliberations of the Tribunal but the decision is that of the permanent members.

Signed for the Tribunal.

B. H. SLANE, Chairman.  
go185

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## **Companies Act 1955**

### **Approval of Qualified Persons for the Purposes of Section 402 of the Companies Act 1955**

Pursuant to section 402 of the Companies Act 1955, I hereby approve;

John Connelly, chartered accountant in the firm of Peat Marwick Hungerfords, 50 Bourke Street, Melbourne, Australia,

to be qualified person for the purposes of that section in respect of the accounts of Control Data New Zealand Pty Limited.

Dated at Wellington this 21st day of November 1988.

GEOFFREY PALMER, Minister of Justice.  
go511

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## **Coroners Act 1951**

### **Appointment of Coroner**

Pursuant to section 2 of the Coroners Act 1951, His Excellency the Governor-General of New Zealand has been pleased to appoint

William Alexander King Justice of the Peace of Wanaka

to be a Coroner for New Zealand on and from the date hereof vice Robert Graham Sinclair resigned.

Dated at Wellington this 6th day of December 1988.

GEOFFREY PALMER, Minister of Justice.

(Adm 3/13/4/116)  
go300

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## **Criminal Justice Act 1985**

### **Confiscation of Motor Vehicle**

Pursuant to section 84 (2) of the Criminal Justice Act 1985, an order was made in the District Court at Timaru on Tuesday, the 20th day of December 1988, against Brendan Shane Cook for the confiscation of the following motor vehicle:

1964 Ford Zephyr 6 registration No. AG4795.

J. A. CUTHBERTSON, Deputy Registrar.  
go186

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### **Confiscation of Motor Vehicle**

Pursuant to section 84 of the Criminal Justice Act 1985, an order was made in the Hastings District Court on 8 December 1988, against John Selwyn Mansell for the confiscation of the following motor vehicle:

1980 Ford Falcon motor car, registration No. JS3342