

in the hands of persons who are experimenting with rocketry or who are considering making use of such rocketry for military style or criminal activities. The Tribunal classifies this publication as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go22710

Decision No. 9/89

Reference No.: IND 50/88

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:
Leather Sex Fantasy (Hot Rods):

Chairman: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

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

Decision

This publication was privately imported at Auckland in August 1988 and was seized by the Collector of Customs. The importer having disputed forfeiture the publication has been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The Tribunal finds that the publication which displays excerpts from a triple-x-rated video and includes explicit photographs of anal and oral sex and male masturbation with bondage overtones is clearly injurious to the public good and classifies it as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go22712

Decision No. 10/89

Reference No.: IND 51/88

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:
Playguy, January 1986; *Playguy*, May 1986; *Playguy*, June 1986; *Playguy*, July 1986; *Playguy*, August 1986; *Playguy*, November 1986; *Inches*, February 1986; *Inches*, March 1986; *Inches*, November 1986; *Blueboy*, February 1984; *Blueboy*, March 1984:

Chairman: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. A. Ireland for various interested parties. No appearance from importer, G. Armstrong, Progressive Mail Order, Hamilton.

Decision

These publications were commercially imported through Hamilton for commercial purposes and were seized by the Comptroller of Customs. The importer having disputed forfeiture the publications have been referred to the Tribunal prior to the commencement of condemnation proceedings

pursuant to the Customs Act 1966. Mr Ireland whose principle appearance was on behalf of Lawrence Publishing Company (NZ) Ltd., submitted that these particular issues have counterparts which have earlier received an R18 classification by the Tribunal. Mr Ireland submitted that there was nothing in these particular issues which would justify an unconditionally indecent classification and he also sought a serial order in respect of the publication *Inches*.

In respect of the publications *Inches*, February 1986 and *Inches*, March 1986, the Tribunal is satisfied that the depiction of multiple sex activity in the first and a like depiction from a video section in the second is of such a nature that they are injurious to the public good and classifies each of those publications as indecent.

In respect of all the remaining publications under this particular importation the Tribunal is satisfied that there is material contained in the magazines which is injurious to younger readers and classifies each as indecent in the hands of persons under the age of 18 years. In view of the finding in relation to 2 of the magazines *Inches*, Mr Ireland's submission that it is appropriate for a serial order to be made for that publication fails.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go22713

Decision No. 11/89

Reference No.: IND 57/88

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: *Colt Men*, Issue Number 19:

Chairman: Judge R. R. Kearney.

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

Hearing at Auckland on the 8th day of December 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs, G. A. Ireland for importer, Lawrence Publishing Co.

Decision

This magazine was commercially imported through parcels post, Auckland in October 1988 and was seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publication has been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

All *Colt* publications have been the subject of a serial order made on 14 October 1988 in decision 34/88 but this particular publication was imported prior to the serial restriction order coming into force and accordingly is not covered by that order.

The Tribunal agrees with both Mr Wotherspoon and Mr Ireland that this publication should be classified as indecent in the hands of persons under the age of 18 and rules accordingly.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go22715

Decision No. 12/89

Reference No.: IND 65/88

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