

PART X.

MISCELLANEOUS PROVISIONS HAVING
GENERAL APPLICATION.

WITNESSES AND COUNSEL AT COURTS MARTIAL.

"court
martial".

200. (1) For the purposes of this section, "court martial", in addition to the tribunals mentioned in paragraph (g) of section two, includes a commissioner taking evidence under this Act and an officer taking a summary of evidence in accordance with regulations; and references in this section to the president or members of a court martial shall be deemed to include references to any such commissioner or officer. 5

Summons
to
witnesses.

(2) Every person required to give evidence before a court martial may be summoned under the hand of the authority by whom the court martial was convened, established or appointed, or the Judge Advocate General, or under the hand of the president, judge advocate, commissioner taking evidence under this Act or officer taking a summary of evidence in accordance with regulations. 15

Production
of docu-
ments.

(3) A person summoned under subsection two may be required to bring with him and produce at a court martial any documents in his possession or under his control relating to the matters in issue before the court martial. 20

Witness fees.

(4) A witness summoned or attending to give evidence before a court martial shall be paid such witness fees and allowances for expenses of attendance as are prescribed in regulations.

Misconduct
of counsel.

(5) Any conduct of counsel before a court martial that would be liable to censure or be contempt of court if it took place before a civil court in the place where the court martial is held shall likewise be liable to censure or be contempt of court in the case of a court martial; and the regulations governing the procedure of courts martial shall be binding upon counsel appearing before courts martial, and wilful disobedience of those regulations shall, if persevered in, be deemed to be contempt of court. 30

Removal
for contempt.

(6) A court martial may, by order under the hand of the president, a commissioner taking evidence under this Act or an officer taking a summary of evidence in accordance with regulations, cause counsel to be removed from the court martial for contempt, but an officer taking a summary of evidence shall not take action under this subsection without the approval of his commanding officer. 40

Oaths.

201. Every person when required to give evidence on oath under this Act shall take his oath in the form prescribed in regulations and that oath shall, in respect of any prosecution for perjury under the *Criminal Code*, have the same force and effect as an oath taken before a civil court. 45