
STATUTORY INSTRUMENTS

2000 No. 2371

The Summary Appeal Court (Army) Rules 2000

PART V
EVIDENCE

Oaths and affirmations

31.—(1) An oath shall be administered to any person attending a hearing of the court as an officer or other person under instruction or interpreter.

(2) A witness before the court—

(a) shall be examined on oath if he has attained the age of 14 years;

(b) shall give evidence unsworn if he is under that age.

(3) Unsworn evidence admitted by virtue of paragraph (2)(b) may corroborate evidence (sworn or unsworn) given by any other person.

(4) If—

(a) a person required to take an oath for the purposes of proceedings before the court objects to being sworn, or

(b) it is not reasonably practicable to administer an oath to such a person as aforesaid in the manner appropriate to his religious belief,

he shall be permitted to make a solemn affirmation instead of taking an oath.

(5) A person who may be permitted under this rule to make his solemn affirmation may also be required to do so, and for the purposes of this rule “reasonably practicable” means reasonably practicable without inconvenience or delay.

(6) Any oath or affirmation shall be administered in the form and manner set out in Schedule 5 by the judge advocate, or, where the judge advocate so directs, by any other member of the court acting on his behalf.