

The Manitoba Evidence Act

Definitions

1 In this Act,

"**action**" includes any civil proceeding, inquiry, arbitration, and a prosecution for an offence committed against a statute of the province or against a by-law or regulation made under the authority of any such statute, and any other prosecution or proceeding authorized or permitted to be tried, heard, had, or taken, by or before a court under the law of the province; (« action »)

"**Commonwealth**" includes the Republic of Ireland; (« Commonwealth »)

"**court**" means the court, judge, arbitrator, commissioner, or person, before whom a legal proceeding is held or taken; (« tribunal »)

"**Imperial**" means of or pertaining to the United Kingdom, as constituted on the coming into force of this Act, or any former kingdom which included England, whether known as the United Kingdom of Great Britain and Ireland or otherwise; (« impérial »)

"**legal proceeding**" means any civil proceeding, inquiry, or arbitration, in which evidence is or may be given, and includes an action or proceeding for the imposition of punishment by fine, penalty, or imprisonment, to enforce any Act of the Legislature; (« poursuite judiciaire »)

"**minister**" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act or any Part or provision of this Act in which the word is used. (« ministre »)

Protection of commissioners

87 Every commissioner appointed under this Part has the same protection and privileges, in case of any action brought against him for any act done or omitted to be done in the execution of his duty, as are by law given to the judges of the Court of Queen's Bench.

Powers to summon witnesses

88(1) The commissioners have the power of summoning any witnesses before them by a subpoena or summons under the hand of any of them, and of requiring those witnesses to give evidence on oath or affirmation, and either orally or in writing, and to produce such documents and things as the commissioners deem requisite to the full investigation of the matter into which they are appointed to inquire.

Services of experts

93(1) The commissioners, if authorized by the Lieutenant Governor in Council or by statute, may engage the services of such accountants, engineers, technical advisers, or other experts, clerks, reporters, and assistants, as they deem necessary or advisable, and also the services of counsel to aid and assist them in the inquiry.

Power to make rules

96 The Lieutenant Governor in Council may make provision, either generally in regard to all commissions issued and inquiries held under this Part, or specially in regard to any such commission and inquiry, for

- (a) the remuneration of commissioners and persons employed or engaged to assist in the inquiry, including witnesses;
- (b) the payment of incidental and necessary expenses; and
- (c) all such acts, matters, and things, as are necessary to enable complete effect to be given to every provision of this Part.