

185. No Volunteer who is permitted to quit the Force will receive his discharge until all the articles of public property in his possession have been given up; and he will be liable to a fine of 5s. a day for every day he detains them, or any portion of them, after the date on which he was required to give them up.

186. Any Volunteer who shall pawn, sell, lose by neglect, or wilfully spoil his arms, accoutrements, or uniform, shall be liable to a fine of £5, or ten days' imprisonment.

187. Any Volunteer who shall wear his uniform, or any portion thereof, on any other occasion than in the discharge of his duty, without special permission, shall be liable to a fine of 5s., to be inflicted by his immediate Commanding Officer.

188. All fines exceeding £5, and all imprisonment above ten days, also dismissal of officers from the service, can be inflicted only by sentence of Court-martial, Regimental, or District, or General, at discretion of the Commandant. All fines above 10s. up to £5, with imprisonment up to ten days, can be inflicted by the Officer Commanding the regiment only. All fines below 10s. may be inflicted by Officers Commanding troops, batteries, or companies.

189. An appeal shall lie from the Officer Commanding the regiment when the punishment inflicted is above £2, or imprisonment beyond five days, to the Commandant, whose decision shall be final.

190. Courts-martial to be convened by order of the Commandant, and the rules and procedure of such Courts in the Imperial Army to be followed as closely as possible.

191. All the members of a Court-martial for the trial of Volunteers to be composed of Volunteer officers.

192. Courts-martial assembled for the trial of officers of Permanent Staff to be composed of Militia and Volunteer officers in as nearly equal proportion as possible. The Militia officers should be selected as far as possible from those in active employ.

193. Any member of the Volunteer Force who shall resist any guard or escort under whose custody he shall be placed by his superior officer shall be liable to a penalty of £10, or imprisonment for forty-two days.

194. Fines and penalties may be inflicted and recovered in the manner specially provided by these regulations, or as provided by The Volunteer Act.

COURTS OF INQUIRY.

195. A Court of Inquiry is not a judicial body; it has no power to administer an oath. It is to be considered as a Board of which the Commanding Officer of a district or an Officer in Command of a regiment may make use to assist him in arriving at a correct conclusion on any subject upon which it may be expedient for him to institute an inquiry.

196. If it be found necessary to cause the conduct of an officer to be investigated by a Court of Inquiry, the Commandant, or the Officer Commanding the district, with the sanction of the Commandant, can alone convene the Court, which in such a case must be composed exclusively of officers of the Volunteer Force.

197. The duties of a Court of Inquiry depend on the instructions which the convening authority may think proper to give. It may either be employed in collecting and arranging evidence, or it may in addition be directed to give an opinion as to the facts established by that evidence; but it has no power to pronounce any judgment as to the course to be taken by the convening authority in dealing with these facts.

198. When facts connected with the conduct of an individual are submitted to the investigation of a Court of Inquiry, it is necessary that the instructions for the guidance of the Court should be sufficiently explicit as regards matters, names, dates, and places, to convey clearly to the Court the nature of the subject into which it is appointed to inquire, and also to enable the person whose conduct is called in question to know what he has to answer.

199. It rests with the authority who orders the assembly of a Court of Inquiry to decide whether it shall be open or closed.

200. All evidence taken by a Court of Inquiry is to be recorded as nearly as possible in the words of the witnesses, and in the order in which it is received.

201. The proceedings, when closed, are to be signed by the President and members, after which they are to be forwarded by the President to the convening authority.

202. A Court of Inquiry may be reassembled as often as the convening authority may deem necessary; and on every occasion of its meeting it is competent to receive and record new evidence.