

(6) If the answer of the accused to any charge is such that it appears he may not be guilty of the offence charged, then whatever his plea may be the court shall enter a plea of not guilty.

(7) A plea of not guilty of any offence for which a sentence of death may be imposed shall be entered by a Summary Military Court in any case reported for transfer to a General Military Court.

(8) A Summary or Intermediate Military Court may deal with any offence¹ for which the penalty of death is authorized if it is satisfied that, in fact, a penalty, which it has power to inflict, is adequate.

(9) All charges to which an accused person pleads not guilty shall be tried together, unless on the application of the accused the court grants leave for any of them to be tried separately.

8. Procedure on Plea of Guilty in Summary Military Court

(1) Upon a plea of guilty of all offences charged, a Summary Military Court will hear such statements for the prosecution and the defence and such evidence as it requires to enable it to determine the sentence to be imposed. If it has power to impose adequate punishment, it will proceed at once to the sentence.

9. Procedure on Plea of Not Guilty in Summary Military Court.

(1) Upon a plea of not guilty, the court, either by Way of preliminary hearing or as part of the trial, will hear such statements for the prosecution and the defence and such evidence as it requires to enable it to determine:

- (a) Whether the case should be referred for trial to an Intermediate or General Military Court, either because of its own lack of power to impose adequate sentence in the event of conviction, or for any other reason;
- (b) Whether there is sufficient substance to the charge to justify a trial thereon by any court;