

- (c) order the accused to establish his residence within or without a designated area or not to leave or enter a designated area without permission.

(5) A Military Government Court in imposing any sentence may in exceptional circumstances suspend the execution thereof in whole or in part on such terms as it thinks fit.

(6) Except as the court may otherwise direct, every sentence except a sentence of death shall be put into execution forthwith and⁴ without awaiting the action of the Reviewing Authority.

*
4. (7) When an offence is charged under German Law the court on conviction is not limited by the maximum sentence permitted under such law but may impose such sentence within its powers as the circumstances of the case may require provided that:

(a) except in cases of homicide, attempted homicide or assault with intent to do grievous bodily injury, no death sentence shall be imposed when it could not have been imposed under the German Law under which the charge was framed; and

(b) when the offence charged is a contravention (Übertretung) only, any sentence of imprisonment shall not exceed two years.

GENERAL PROVISIONS

17. Compellability of Witnesses

« Any person other than the accused may be required to testify before a Military Government Court except a person of unsound mind, provided that no witness shall be required to incriminate himself and provided also that a court shall not compel

(1) a husband or wife or a parent or child to give evidence against the other;

(2) a legal adviser to disclose any communication between himself and a client made in the course of a professional relationship except when the communication was part of or connected with an unlawful act or omission:

«
(3) a priest to disclose any communication made in the course of a confession.