

SCHEDULE A

WITNESS FEES AND TRAVELLING EXPENSES

The witness fees and travelling expenses required to be given to the witness upon service of an interprovincial subpoena shall be a sum of money or a sum of money together with valid travel warrants, sufficient to satisfy the following requirements:

1. The fare for transportation by the most direct route via public commercial passenger carrier between the witness' place of residence and the place at which the witness is required to attend in court, in accordance with the following rules:

(a) if the journey or part of it can be made by air, rail or bus, that portion of the journey shall be by airline, rail or bus by tourist class or equivalent class via carriers on which the witness can complete his total journey to the place where he is required to attend in court on the day before his attendance is required;

(b) if railway transportation is necessary for part of the journey, and sleeping accommodation would normally be obtained for such a journey, the fare for sleeping accommodation shall be included;

(c) in the calculation of the fare for transportation, the most rapid form of transportation by regularly scheduled carrier shall be accorded priority over all other forms; and

(d) if the material which the witness is required to produce in court is of such weight or size as to attract extra fares or charges, the amount so required shall be included.

2. The cost of hotel accommodation for not less than three days at the place where the witness is required to attend in court, being an amount not less than \$60.

3. The cost of meals for the total journey and for not less than three days at the place where the witness is required to attend in court, being an amount not less than \$48.

4. In addition to the amounts described above, an allowance of \$20. for each day of absence from the ordinary residence of the witness, and the witness shall be paid for not less than three days on account of this allowance being an amount not less than \$60.

SCHEDULE B

INTERPROVINCIAL SUBPOENA ACT

CERTIFICATE

I, _____, (name of judge) a judge of the _____ (name of superior, county or district court) certify that I, have heard and examined _____ (name of applicant party or his counsel) who seeks to compel the attendance of _____ (name of witness) to produce documents or other articles or to testify, or both, in a proceeding in Manitoba in the _____ (name of court in which witness is to appear) style _____ (style of cause or proceeding).

I further certify that I am satisfied that the appearance of _____ (name of witness) as a witness in the proceeding is necessary for the due adjudication of the proceeding, and, in relation to the nature and importance of cause or proceeding, is reasonable and essential to the due administration of justice in Manitoba.

The Interprovincial Subpoenas Act of Manitoba makes the following provision for the immunity of _____ (name of witness).

A person required to attend before a court in Manitoba by subpoena adopted by a court outside Manitoba shall be deemed, while within Manitoba not to have submitted to the jurisdiction of the courts of Manitoba other than as a witness in the proceedings in which he is subpoenaed and shall be absolutely immune from seizure of goods, service of process, execution of judgment, garnishment, imprisonment or molestation of any kind relating to a legal or judicial right, cause, action, proceeding or process within the jurisdiction of the Legislature of Manitoba except only those proceedings grounded on events occurring during or after the required attendance of the person in Manitoba.

DATED this _____ day of _____, 19 _____.

(seal of court)
