

**Commonwealth Consolidated Acts****EVIDENCE ACT 1995 - SECT 46 Leave to recall witnesses****EVIDENCE ACT 1995 - SECT 46****Leave to recall witnesses**

(1) The court may give leave to a **party** to recall a witness to give evidence about a matter raised by evidence adduced by another **party**, being a matter on which the witness was not cross-examined, if the evidence concerned has been admitted and:

(a) it contradicts evidence about the matter given by the witness in examination in chief; or

(b) the witness could have given evidence about the matter in examination in chief.

(2) A reference in this section to a matter raised by evidence adduced by another **party** includes a reference to an inference drawn from, or that the **party** intends to draw from, that evidence.