

ARTICLE 5**REFUSAL OR POSTPONEMENT OF ASSISTANCE**

1. Assistance shall be refused if the Requested Party is of the opinion that execution of the request would :

(a) be contrary to the interests of justice;

(b) seriously impair its essential interests; or

(c) impose an excessive burden on its resources.

2. The Requested Party may refuse assistance if there is a possibility of the death penalty being imposed or executed in respect of the matter for which assistance is sought.

3. The Requested Party may refuse or postpone assistance if execution of the request would interfere with an ongoing investigation or proceedings within its jurisdiction.

4. Before refusing to grant a request for assistance, the Requested Party shall consider whether assistance may be granted subject to such conditions as it deems necessary. If the Requesting Party accepts assistance subject to these conditions, it shall comply with them.