

- (d) "Pardon" means an act of clemency which cancels the conviction or alters the duration of the sentence.

### ARTICLE III

#### Conditions for Transfer

This Treaty shall apply under the following conditions:

- (a) That the conduct for which the offender was sentenced is one which is punishable as a crime in the Receiving State. For this purpose, no account shall be taken of differences that have no bearing on the nature of the offence;
- (b) That the offender is a citizen of the Receiving State;
- (c) That the offender has not been convicted of an offence that is solely an offence under military law;
- (d) That at least six months of the offender's sentence remain to be served at the time of the application;
- (e) That no proceedings by way of appeal or by extraordinary review procedure upon the offender's conviction or sentence is pending in the Sentencing State and that the prescribed time or appeal has expired;
- (f) That the offender has consented to the transfer; and
- (g) That the Sentencing and Receiving State agree to the transfer.

### ARTICLE IV

#### Authority

Each Party shall designate an authority to carry out the provisions of this Treaty.

### ARTICLE V

#### Obligation to Inform

An offender to whom the present Treaty may apply shall be informed by the Sentencing State of the substance of the Treaty.

### ARTICLE VI

#### Requests and Replies

1. The offender may express his or her interest for transfer to the Sentencing State or to the Receiving State.
2. The request for transfer may be made by the Sentencing State or the Receiving State. The request shall be addressed to the authority of the requested State by the authority of the requesting State. Replies shall be communicated through the same channels without delay.