

- (b) any other extraditable offence if the Requested Party consents.

2. A request for the consent of the Requested Party under this Article shall, upon the request of the Requested Party, be accompanied by the documents mentioned in Article 7 as well as a record of any statement made by the extradited person in respect of the offence concerned.

3. If the charge for which the person was extradited is subsequently changed, that person may be prosecuted or sentenced provided the offence under its new description is:

- (a) based on substantially the same facts contained in the extradition request and its supporting documents; and
- (b) punishable by the same maximum penalty as, or a lesser maximum penalty than, the offence for which that person was extradited.

4. Paragraph 1 of this Article does not apply if the person extradited has had an opportunity to leave the Requesting Party and has not done so within forty-five (45) days of final discharge in respect of the offence for which that person was extradited or if the person has voluntarily returned to the Requesting Party after having left it.

ARTICLE 18

RE-EXTRADITION TO A THIRD STATE

1. Where a person has been surrendered to the Requesting Party that Party shall not extradite the person to any third State for an offence committed before that person's surrender unless:

- (a) the Requested Party consents to that extradition; or
- (b) the person has had an opportunity to leave the Requesting Party and has not done so within forty-five (45) days of final discharge in respect of the offence for which that person was surrendered by the Requested Party or if the person has voluntarily returned to the Requesting Party after having left it.