

2. At the request of the Requesting State, the Requested State shall seize and surrender, to the extent permitted under its law, any article which:

- a) may serve as evidence; or
- b) was acquired as a result of the offence and was found at the time of arrest in the possession of the person sought.

3. The property described in paragraph 2 of this Article shall be surrendered to the Requesting State even if the extradition granted cannot be carried out owing to the death or escape of the person sought.

4. Where the said articles are subject to seizure or confiscation in the territory of the Requested State, that State may, for the purposes of a criminal proceeding in progress, keep such articles temporarily or surrender them on condition that they be returned.

5. Where the rights of the Requested State or of third parties so require, any articles so surrendered to the Requesting State shall be returned to the Requested State, free of charge, as soon as possible after the trial.

ARTICLE 16

Rule of Specialty

1. A person who has been surrendered pursuant to this Treaty shall not be proceeded against, detained, tried or punished in the territory of the Requesting State for an offence other than that for which extradition was granted, except in the following cases:

- a) when that person consents, in writing, before a judicial authority of the Requesting State, after having been informed by that authority of his or her rights;
- b) when that person, after having been extradited, has left the territory of the Requesting State and has then returned to it of his or her own free will;
- c) when that person has not left the territory of the Requesting State after having been free to leave it for 45 days; or
- d) when the Requested State consents. For this purpose, the Requested State may require the production of any document or statement mentioned in Article 8.

2. These provisions shall not apply to offences committed after extradition.

3. If the charge for which the person was surrendered 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