

Article 7 - Limit on Use

1. Information obtained by mutual assistance may not, in the Requesting State, be used for investigations or be produced as evidence in any proceedings relating to an offence for which mutual assistance is excluded. Any other use is subject to the prior approval of the central Authority of the Requested State.

2. A foreign State, which is a party claiming damage in a criminal proceeding in one of the Contracting States, may be authorized to consult the record, subject to the same conditions.

Article 8 - Presence of Persons Participating in the Proceedings

1. If the Requesting State expressly so requests, the central Authority of the Requested State shall inform it of the date when and place where the request will be executed. The authorities and persons involved may be present at such execution if the Requested State agrees.

2. Exceptionally, when a request requires that a person make a deposition or testify in the Requested State, the person subject of the proceedings or investigation in the Requesting State and his legal counsel and the competent authorities of the Requesting State may be present at the execution of the request and put questions in accordance with the rules of procedure of the Requested State, if it is established that:

- (a) the evidence sought would otherwise be inadmissible under the law of the Requesting State; or
- (b) the Requested State considers that the presence of such persons will facilitate execution of the request.