

*Title 4 — Procedures pertaining to mutual assistance requests
in the absence of applicable international agreements*

Article 27 - Procedures pertaining to mutual assistance requests in the absence of applicable international agreements

- 1 Where there is no mutual assistance treaty or arrangement on the basis of uniform or reciprocal legislation in force between the requesting and requested Parties, the provisions of paragraphs 2 through 9 of this article shall apply. The provisions of this article shall not apply where such treaty, arrangement or legislation exists, unless the Parties concerned agree to apply any or all of the remainder of this article in lieu thereof.
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 - a Each Party shall designate a central authority or authorities responsible for sending and answering requests for mutual assistance, the execution of such requests or their transmission to the authorities competent for their execution.
 - b The central authorities shall communicate directly with each other;
 - c Each Party shall, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, communicate to the Secretary General of the Council of Europe the names and addresses of the authorities designated in pursuance of this paragraph;
 - d The Secretary General of the Council of Europe shall set up and keep updated a register of central authorities designated by the Parties. Each Party shall ensure that the details held on the register are correct at all times.
- 3 Mutual assistance requests under this article shall be executed in accordance with the procedures specified by the requesting Party, except where incompatible with the law of the requested Party.
- 4 The requested Party may, in addition to the grounds for refusal established in Article 25, paragraph 4, refuse assistance if:
 - a the request concerns an offence which the requested Party considers a political offence or an offence connected with a political offence, or
 - b it considers that execution of the request is likely to prejudice its sovereignty, security, *ordre public* or other essential interests.
- 5 The requested Party may postpone action on a request if such action would prejudice criminal investigations or proceedings conducted by its authorities.
- 6 Before refusing or postponing assistance, the requested Party shall, where appropriate after having consulted with the requesting Party, consider whether the request may be granted partially or subject to such conditions as it deems necessary.