

ARTICLE 14

Article XXIX of the Extradition Treaty is amended to read as follows:

"ARTICLE XXIX  
DEFINITION

For the purpose of this treaty "sentence" means any order of a criminal court whereby deprivation of liberty or any detention involving deprivation of liberty in addition to or instead of a penalty is imposed on a person."

ARTICLE 15

The following Article XXIX bis is included after Article XXIX of the Extradition Treaty:

"ARTICLE XXIX BIS  
PERSONAL DATA

- (1) Personal data, hereinafter referred to as data, shall be understood to be particulars on the personal and factual situation of an identified or identifiable natural person.
- (2) Data transmitted on the basis of this Treaty shall be used for the purposes for which the data were transmitted and on the conditions determined by the transmitting Party in the individual case. In addition, such data may be used for the following purposes:
  - (a) for the prevention and prosecution of offences in respect of which data may be transmitted pursuant to the Treaty of *May 13, 2002*, between Canada and the Federal Republic of Germany on Mutual Assistance in Criminal Matters;
  - (b) for non-criminal court proceedings and administrative proceedings which are related to the use for which the data were originally requested or related to the use outlined in sub-paragraph (a); and
  - (c) to ward off substantial dangers to public security.

Use of the data for other purposes requires the prior consent of the Party transmitting the data concerned.

- (3) Subject to the domestic legal provisions of each Party, the following provisions shall apply to the transmission and use of data:
  - (a) Upon request, the Party which has received the data shall identify the data received, inform the transmitting Party of the use made of the data and the results achieved therefrom;
  - (b) The Parties shall carefully handle data transmitted under this Treaty and pay particular attention to the accuracy and completeness of such data. Only data that relate to the request shall be transmitted. If it appears that incorrect data have been transmitted or that data that should not have been transmitted were transmitted, the Party that has received the data shall be notified without delay. The Party that has received the data shall rectify or correct any errors or return the data;
  - (c) The Parties shall keep records in appropriate form concerning the transmission and receipt of data;