

2. That the offender be a citizen of the Receiving State.
3. That the offender has not been sentenced to the death penalty, except that a person originally sentenced to death, but whose sentence has been commuted, is eligible to apply for a transfer.
4. That the offender has not been convicted of an offence that is solely against the military laws of either Party.
5. That at least six months of the offender's sentence remain to be served at the time of petition.
6. That the sentence be final, that any appeal procedures have been completed, and that there be no extraordinary review procedures pending at the time of invoking the provisions of this Treaty.
7. That the provisions of the sentence, other than the period of detention, have been complied with.

ARTICLE IV

The Parties shall designate authorities to perform the functions provided in this Treaty.

ARTICLE V

1. The Receiving State shall retain absolute discretion to refuse the transfer of an offender.
2. Each transfer of Canadian offenders shall be initiated by a written petition presented by the Embassy of Canada accredited to Peru to the Ministry of External Relations.
3. Each transfer of Peruvian offenders shall be initiated by a written petition presented by the Embassy of Peru in Canada to the Department of External Affairs.
4. If the Transferring State considers the request to transfer the prisoner appropriate and the offender gives his express consent, the Transferring State shall communicate its approval of such request to the Receiving State so that, once internal arrangements have been completed, the transfer of the offender may be effected at the Embassy of Canada in Lima or in the Embassy of Peru in Ottawa, respectively, or in another suitable location agreed upon by the Parties, to the Ambassadors or to other authorized persons designated for this purpose by the Embassy of the Receiving State. A written record of the transfer shall be prepared.
5. The Receiving State shall be responsible for the custody and transport of the offender to the prison or place where he should complete his sentence from the time that the offender is received by the authorized person of the Receiving State; and in