

RIGHT TO DECLINE TO GIVE EVIDENCE

- A person who is required to give sworn or affirmed testimony or produce documents, records or other evidence under [Article 11](#) of this Treaty in the Requested Party pursuant to a request for assistance may decline to do so where -
 - the law of the Requested Party permits or requires that person to decline to do so in similar circumstances in proceedings originating in the Requested Party; or
 - the law of the Requesting Party permits or requires that person to decline to do so in similar circumstances in proceedings originating in the Requesting Party.
- If the person claims that there is a right to decline to give sworn or affirmed testimony or produce documents, records or other evidence under _____ of this Treaty under the law of the Requesting Party, the Requesting Party shall, if so requested, provide a certificate to the Requested Party as to the existence or otherwise of that right.