

Annex I

SCHEDULE OF COSTA RICA

EXPLANATORY NOTE

1. The Schedule of Costa Rica to this Annex sets out, pursuant to Articles 9.13 (Non-Conforming Measures) and 10.6 (Non-Conforming Measures), Costa Rica's existing measures that are not subject to some or all of the obligations imposed by:

- (a) Articles 9.3 (National Treatment) or 10.2 (National Treatment);
- (b) Articles 9.4 (Most-Favored-Nation Treatment) or 10.3 (Most-Favored-Nation Treatment);
- (c) Article 10.5 (Local Presence);
- (d) Article 9.9 (Performance Requirements);
- (e) Article 9.10 (Senior Management and Boards of Directors); or
- (f) Article 10.4 (Market Access).

2. Each Schedule entry sets out the following elements:

- (a) **Sector** refers to the sector for which the entry is made;
- (b) **Obligations Concerned** specifies the obligation(s) referred to in paragraph 1 that, pursuant to Articles 9.13 (Non-Conforming Measures) and 10.6 (Non-Conforming Measures), do not apply to the listed measure(s) pursuant to paragraph 3;
- (c) **Level of Government** indicates the level of government maintaining the listed measure(s);
- (d) **Measures** identifies the laws, regulations, or other measures for which the entry is made. A measure cited in the **Measures** element:
 - (i) means the measure as amended, continued, or renewed as of the date of entry into force of this Agreement, and
 - (ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure; and
- (e) **Description** sets out commitments, if any, for liberalization on the date of entry into force of the Agreement, and the remaining non-conforming aspects of the existing measures for which the entry is made.

3. In the interpretation of a Schedule entry, all elements of the entry shall be considered. An entry shall be interpreted in light of the relevant provisions of the Chapters against which the entry is made. To the extent that:

- (a) the **Measures** element is qualified by a liberalization commitment from the **Description** element, the **Measures** element as so qualified shall prevail over all other elements; and
- (b) the **Measures** element is not so qualified, the **Measures** element shall prevail over all other elements, unless any discrepancy between the **Measures** element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the **Measures** element should prevail, in which case the other elements shall prevail to the extent of that discrepancy.

4. In accordance with Articles 9.13 (Non-Conforming Measures) and 10.6 (Non-Conforming Measures), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the law, regulation, or other measure identified in the **Measures** element of that entry.

5. Where Costa Rica maintains a measure that requires that a service provider be a citizen, permanent resident, or resident of its territory as a condition to the provision of a service in its territory, a Schedule entry for that measure taken with respect to Article 10.2 (National Treatment), 10.3 (Most-Favored-Nation Treatment), or 10.5 (Local Presence) shall operate as a Schedule entry with respect to Article 9.3 (National Treatment), 9.4 (Most-Favored-Nation Treatment), or 9.9 (Performance Requirements) to the extent of that measure.

6. For greater certainty, Article 10.4 (Market Access) refers to non-discriminatory measures.

7. The listing of a measure in this Annex is without prejudice to a future claim that Annex II may apply to the measure or some application of the measure.

8. The extraction of natural resources (including mining and hydrocarbons), electricity generation, refining of crude oil and its derivatives, hunting, forestry, logging, and fishing shall not be considered as services for the purposes of this Agreement.

1. Sector:	All sectors
Obligations Concerned:	Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Law No. 3284 of 30 April 1964 – Commercial Code (<i>Código de Comercio</i>) – Article 226.</p> <p>Law No. 218 of 08 August 1939 – Law of Associations (<i>Ley de Asociaciones</i>) – Article 16.</p> <p>Executive Decree No. 29496– J of 17 April 2001 – Regulation to the Law of Associations (<i>Reglamento a la Ley de Asociaciones</i>) – Article 34.</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>The associations located abroad that would like to act in Costa Rica and the foreign juridical persons that have or want to open branches in the territory of Costa Rica, are obliged to constitute and maintain in the country a power of attorney for the branch's business.</p>

2. Sector:	All sectors
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Law No. 6043 of 02 March 1977 – Law on the Maritime Terrestrial Zone (<i>Ley sobre la Zona Marítimo Terrestre</i>) – Articles 9, 10, 11, 12 and 31, and Chapters 3 and 6.</p> <p>Law No. 2825 of 14 October 1961 – Law of Lands and Colonization (<i>Ley de Tierras y Colonización (ITCO INDER)</i>) – Chapter 2.</p> <p>Executive Decree No. 39688 of 22 April 2016 – <i>Regulation to the granting of concessions in border strips (Reglamento al otorgamiento de concesiones en franjas fronterizas)</i> – Titles 1 and 2.</p> <p>Law No. 9221 of 27 March 2014 – Framework Law for the Declaration of Costal Urban Zone and its Regime of Territorial Use and Exploitation (<i>Ley marco para la declaratoria de zona urbana litoral y su régimen de uso y aprovechamiento territorial</i>)– Articles 1, 2 and Chapter 2.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>A concession is required to perform any type of development or activity in the maritime-terrestrial zone, as defined in the Costa Rican legislation.¹</p> <p>A concession in the maritime terrestrial zone shall not be granted to or held by: (a) foreign nationals that have not resided in the country for at least five years; (b) enterprises with bearer shares; (c) enterprises domiciled abroad; (d) enterprises incorporated in Costa Rica solely by foreign nationals; or (e) enterprises where more than fifty percent of the capital shares or stocks are owned by foreigners.</p> <p>Within the maritime-terrestrial zone, no concession may be granted within the first fifty meters counted from the high tide line nor in the area comprised between the high tide line and the low tide line.</p> <p>The entities or its partners that have concessions in the maritime terrestrial zone shall not yield or transfer quotas or shares to foreigners.</p>

¹ The maritime-terrestrial zone is the 200-meter strip located along the entire length of the Atlantic and Pacific coast lines of Costa Rica, measured horizontally from the ordinary high tide line. The maritime-terrestrial zone also covers all islands located within the Costa Rican territorial waters.

	<p>Only Costa Rican natural or juridical persons that may have concessions shall intervene in touristic developments in the maritime-terrestrial zone or with access to it. Likewise, foreign entities shall intervene as long as they are tourism enterprises, whose development capital belongs in more than 50 percent to Costa Ricans.</p> <p>A concession may also be required to perform any type of development or activity in coastal urban zones, as defined in the Costa Rican legislation.² A concession in a coastal urban zone is subject to an urban regulatory plan and the conditions in Law No. 9221. Economic needs tests may apply and priority will be given to concessionaires that already had a concession before the coastal urban zone was declared as such and to occupants on a precarious basis (<i>ocupantes a título precario</i>).</p> <p>A concession in the urban coastal zone shall not be granted to or held by: (a) foreign nationals that have not resided in the country for at least five years; (b) foreign nationals with an irregular migratory status; (c) enterprises domiciled abroad; or (d) enterprises where more than fifty percent of the capital shares or stocks are owned by foreigners. This percentage shall be maintained throughout the period of the concession. Enterprises that hold concessions in coastal urban zones shall report any changes in the composition of their equity.</p> <p>Excluding land that is under private domain and has legitimate title, all other land within the 2000 meters-wide zone which is alongside Costa Rica's borders with Nicaragua and Panama is inalienable and cannot be acquired by <i>denuncio</i> or possession. In case of natural persons, a foreign national must have permanent resident status in Costa Rica, and prove it through a certification issued by the General Directorate of Migration and Alien Affairs, to obtain a concession in these lands. A juridical person shall be domiciled in Costa Rica to obtain a concession in these lands. Juridical persons, whose shares, stocks or capital belongs to foreign nationals in more than 50% may not obtain a concession. Juridical persons whose members are more than 50% foreigners may not obtain a concession. In case of juridical persons whose capital is owned by foreign nationals, they shall demonstrate that these natural persons have permanent resident status in Costa Rica, and prove it through a certification issued by the General Directorate of Migration and Alien Affairs.</p>
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² A coastal urban zone is a territory in the coast, also considered as an urban area, and previously declared as coastal urban area by the competent authorities.

3. Sector:	All sectors
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Law No. 7762 of 14 April 1998 – General Law for the Concession of Public Works with Public Services (<i>Ley General de Concesión de Obras Públicas con Servicios Públicos</i>) – Chapter 4.
Description:	<u>Investment and Cross-Border Trade in Services</u> For concessions of public works contracts and the concessions of public works with public services contracts defined in accordance with the Costa Rican legislation, in case of a tie in the selection parameters in conformity with the notice rules, the Costa Rican tenderer shall be awarded the contract over the foreigner. The adjudicatory stays obliged to constitute a national anonymous society (<i>sociedad anónima</i>) with which the concession's contract shall be done. Also, it shall be jointly responsible with this anonymous society.

4. Sector:	Professional Services
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Most-Favoured-Nation Treatment (Articles 9.4 and 10.3) Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Law No. 7221 of 06 April 1991 – Organic Law of the Professional Association of Agricultural Engineers (<i>Ley Orgánica del Colegio de Ingenieros Agrónomos</i>) – Articles 3, 4, 5, 6, 8, 9, 10, 15, 16, 18, 19, 20, 22, 23, 24, 25 and 47.</p> <p>Executive Decree No. 22688-MAG-MIRENEM of 22 November 1993 – General Regulation on the Organic Law of the Professional Association of Agricultural Engineers of Costa Rica (<i>Reglamento General a la Ley Orgánica del Colegio de Ingenieros Agrónomos de Costa Rica</i>) – Articles 6, 7, 9, 30, 31, 35, 36, 37 and 38.</p> <p>Executive Decree No. 29410– MAG of 02 March 2001 – Regulation of the Registry of Appraisers-Surveyors of the Professional Association of Agricultural Engineers (<i>Reglamento de Registro de Peritos-Tasadores del Colegio de Ingenieros Agrónomos</i>) – Articles 6, 20 and 22.</p> <p>Law No. 5230 of 02 July 1973 – Organic Law of the Professional Association of Geologists (<i>Ley Orgánica del Colegio de Geólogos</i>) – Article 3, 9, 10 and 11.</p> <p>Executive Decree No. 6419– MEIC of 18 October 1976 – Regulations of the Professional Association of Geologists of Costa Rica (<i>Reglamento del Colegio de Geólogos de Costa Rica</i>) – Articles 4, 5 and 37.</p> <p>Law No. 15 of 29 October 1941 – Organic Law of the Professional Association of Pharmacists (<i>Ley Orgánica del Colegio de Farmacéuticos</i>) – Articles 2, 9, 10 and 11.</p> <p>Executive Decree No. 3503-S of 06 February 1974 – General Organic Regulation or Internal Regulation of the Professional Association of Pharmacists of Costa Rica – (<i>Reglamento General Orgánico o Reglamento Interno del Colegio de Farmacéuticos de Costa Rica</i>) – Articles 2 and 6.</p> <p>Regulation of Pharmaceutical Specialties of the Professional Association of Pharmacists of Costa Rica (<i>Reglamento de Especialidades Farmacéuticas del Colegio de Farmacéuticos de Costa Rica</i>) of 27 October 2010 – Articles 4, 6, 9, 17 and 18.</p>

	<p>Law No. 5784 of 19 August 1975 – Organic Law of the Professional Association of Dental Surgeons of Costa Rica (<i>Ley Orgánica del Colegio de Cirujanos Dentistas de Costa Rica</i>) – Articles 2, 5, 6, 9, 10, 14 and 15.</p> <p>Law No. 3663 of 10 January 1966 – Organic Law of the Federated Professional Association of Engineers and Architects (<i>Ley Orgánica del Colegio Federado de Ingenieros y Arquitectos</i>) – Articles 5, 9, 11, 13, 14 and 52.</p> <p>Executive Decree No. 3414-T of 03 December 1973 – General Internal Regulation of the Federated Professional Association of Engineers and Architects (<i>Reglamento Interior General del Colegio Federado de Ingenieros y Arquitectos</i>) – Articles 1, 3, 7, 9, 37 bis, 54, 55 and 60.</p> <p>Special Regulation of Incorporation to the Federated Professional Association of Engineers and Architects (<i>Reglamento Especial de Incorporación al Colegio Federado de Ingenieros y Arquitectos</i>) of 07 March 2005 – Articles 7 and 8.</p> <p>Law No. 1038 of 19 August 1947 – Law of Establishment of the Professional Association of Public Accountants (<i>Ley de Creación del Colegio de Contadores Públicos</i>) – Articles 3, 4, 12 and 15.</p> <p>Executive Decree No. 13606-E of 05 May 1982 – Regulation of the Professional Association of Public Accountants of Costa Rica (<i>Reglamento del Colegio de Contadores Públicos de Costa Rica</i>) – Articles 4, 5, 8, 10 and 30.</p> <p>Regulation No. 9 of 25 May 2010 – Regulation of the Process and Requirements for Incorporation to the Professional Association of Public Accountants of Costa Rica (<i>Reglamento del Trámite y Requisitos de Incorporación al Colegio de Contadores Públicos de Costa Rica</i>) – Article 3.</p> <p>Law No. 3455 of 14 November 1964 – Law of the Professional Association of Veterinary Physicians (<i>Ley del Colegio de Médicos Veterinarios</i>) – Articles 2, 4, 5, 7 and 27.</p> <p>Executive Decree No. 19184-MAG of 10 July 1989 – Regulation on the Organic Law of the Professional Association of Veterinary Physicians (<i>Reglamento a la Ley Orgánica del Colegio de Médicos Veterinarios</i>) – Articles 6, 7, 10, 11, 19 and 24.</p> <p>Law No. 2343 of 04 May 1959 – Organic Law of the Professional Association of Nurses of Costa Rica (<i>Ley Orgánica del Colegio de Enfermeras de Costa Rica</i>) – Articles 2, 22, 23, 24 and 28.</p>
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	<p>Executive Decree No. 37286 of 19 April 2012 – Regulation to the Organic Law of the Professional Association of Nurses of Costa Rica (<i>Reglamento a la Ley Orgánica del Colegio de Enfermeras de Costa Rica</i>) – Articles 1, 6, 7, 12, 13, 155 and 158.</p> <p>Regulation No. 2044 of 07 July 2011 – Regulation for the Incorporation to the Professional Association of Nurses of Costa Rica (<i>Reglamento de Incorporación del Colegio de Enfermeras y Enfermeros de Costa Rica</i>) – Article 11.</p> <p>Law No. 7764 of 17 April 1998 – Public Notary Code (<i>Código Notarial</i>) – Articles 3 and 10.</p> <p>Law No. 13 of 28 October 1941 – Organic Law of the Professional Association of Lawyers (<i>Ley Orgánica del Colegio de Abogados y Abogadas de Costa Rica</i>) – Articles 2, 6, 7, 8 and 18.</p> <p>Executive Decree No. 20 of 17 July 1942 – Internal Regulation of the Professional Association of Lawyers (<i>Reglamento Interior del Colegio de Abogados</i>) – Article 1.</p> <p>Agreement No. 2008-45-034 of 09 December 2008 – Manual of Incorporation of Lawyers to the Professional Association of Lawyers (<i>Manual de Incorporación de los Licenciados en Derecho al Colegio de Abogados</i>) – Articles 2, 7 and 8.</p> <p>Law No. 1269 of 02 March 1951 – Organic Law of the Professional Association of Private Accountants (<i>Ley Orgánica del Colegio de Contadores Privados de Costa Rica</i>) – Articles 2 and 4.</p> <p>Executive Decree No. 3022 of 21 May 1973 – Regulation to the Organic Law Professional Association of Private Accountants of Costa Rica (<i>Reglamento de la Ley Orgánica del Colegio de Contadores Privados de Costa Rica</i>) – Articles 5 and 39.</p> <p>Regulation No. 90-1 of 18 May 2004 – Regulation for the process and requirements of incorporations to the Professional Association of Private Accountants of Costa Rica (<i>Reglamento para el Trámite y Requisitos de Incorporación al Colegio de Contadores Privados de Costa Rica</i>) – Article 3.</p> <p>Law No. 8412 of 22 April 2004 – Organic Law of the Professional Association of Chemical Engineers and Related Professionals and Organic Law of the Professional Association of Chemists of Costa Rica (<i>Ley Orgánica del Colegio de Ingenieros Químicos y Profesionales Afines y Ley Orgánica del Colegio de Químicos de Costa Rica</i>) – Articles 7, 16, 17, 18, 19, 20, 21, 61, 67, 77, 82, 83, 84, 86 and 92.</p> <p>Executive Decree No. 34699-MINAE-S of 15 April 2008 –</p>
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	<p>Regulation to the Title II of the Organic Law of the Professional Association of Chemical Engineers and Related Professionals and Organic Law of the Professional Association of Chemists of Costa Rica, Law No. 8412 of 22 April 2004, Regulations of the Professional Association of Chemists of Costa Rica (<i>Reglamento al Título II de la Ley Orgánica del Colegio de Ingenieros Químicos y Profesionales Afines y Ley Orgánica del Colegio de Químicos de Costa Rica, Ley No. 8412 del 22 de abril de 2004, Normativa del Colegio de Químicos de Costa Rica</i>) – Articles 2, 3, 14, 15 and 16 and Chapter VI.</p> <p>Executive Decree No. 35695-MINAE of 25 May 2009 – Regulation to the Title I of the Organic Law of the Professional Association of Chemical Engineers and Related Professionals and Organic Law of the Professional Association of Chemists of Costa Rica Law 8412 (<i>Reglamento al Título I de la Ley Orgánica del Colegio de Ingenieros Químicos y Profesionales Afines de Costa Rica y Ley Orgánica del Colegio de Químicos de Costa Rica, Ley No. 8412</i>) – Articles 1, 3, 6, 8, 13, 110, 111, 114, 115, 116, 117, 118, 119, 121, 122, 123, 125, 128, 130, 145, 154, 155, 156, 158, 161 and Chapters XVII, XIX, XXI and XXIV.</p> <p>Law No. 3019 of 09 August 1962 – Organic Law of the Professional Association of Physicians and Surgeons (<i>Ley Orgánica del Colegio de Médicos y Cirujanos</i>) – Articles 4, 5, 6 and 7.</p> <p>Executive Decree No. 23110-S of 22 March 1994 – Regulation to the Organic Law of the Professional Association of Physicians and Surgeons (<i>Reglamento a la Ley Orgánica del Colegio de Médicos y Cirujanos</i>) – Article 10.</p> <p>Executive Decree No. 2613-SPSS of 03 November 1972 – General Regulation to Authorize the Exercise to Professionals of Branches that depend on Medical Sciences and Technicians in Surgical Medical Matters (<i>Reglamento General para Autorizar el Ejercicio a Profesionales de Ramas Dependientes de las Ciencias Médicas y a Técnicos en Materias Médico Quirúrgicas</i>) – Articles 1 and 4.</p> <p>Law No. 7559 of 09 November 1995 –Mandatory Social Service for Professionals in Health Sciences (<i>Servicio Social Obligatorio para los Profesionales en Ciencias de la Salud</i>) – Articles 2, 3, 5, 6, 7, and 10.</p> <p>Law No. 9272 of 07 October 2014 – Reform to Law No. 7559, Mandatory Social Service for Professionals in Health Sciences of 9 November 1995 (<i>Reforma de la Ley No. 7559, Servicio Social Obligatorio para Profesionales en Ciencias de la Salud, de 9 de noviembre de 1995</i>) – single article.</p> <p>Regulation No. 09 of 19 September 2012 –Regulations of</p>
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	<p>Technologists in Medical Sciences authorized by the Professional Association of Physicians and Surgeons (<i>Normativa de Tecnólogos en Ciencias Médicas autorizados por el Colegio de Médicos y Cirujanos</i>) – Articles 4, 7 and 44.</p> <p>Regulation No. 12 of 12 February 2007 – Regulations of the Chapter of Related Professionals to the Medical Sciences authorized by the Professional Association of Physicians and Surgeons of Costa Rica (<i>Normativa del Capítulo de Profesionales Afines a las Ciencias Médicas autorizados por el Colegio de Médicos y Cirujanos de Costa Rica</i>) – Article 14.</p> <p>Law No. 3838 of 19 December 1966 – Organic Law of the Professional Association of Optometrists of Costa Rica (<i>Ley Orgánica del Colegio de Optometristas de Costa Rica</i>) – Articles 6 and 7.</p> <p>Law No. 4420 of 22 September 1969 – Organic Law of the Professional Association of Journalists of Costa Rica (<i>Ley Orgánica del Colegio de Periodistas de Costa Rica</i>) – Articles 2, 24, 25 and 27.</p> <p>Executive Decree No. 32599 of 13 June 2005 – Regulation of the Professional Association of Journalists of Costa Rica (<i>Reglamento del Colegio de Periodistas de Costa Rica</i>) - Articles 1, 3, 47 and 48.</p> <p>Law No. 7106 of 04 November 1988 – Organic Law of the Professional Association of Professionals in Political Science and International Relations (<i>Ley Orgánica del Colegio de Profesionales en Ciencias Políticas y de Relaciones Internacionales</i>) – Articles 26 and 29.</p> <p>Executive Decree No. 19026-P of 31 May 1989 – Regulation to the Organic Law of the Professional Association of Professionals in Political Science and International Relations (<i>Reglamento a la Ley Orgánica del Colegio de Profesionales en Ciencias Políticas y de Relaciones Internacionales</i>) – Articles 1, 10, 19, 21, 22 and 59.</p> <p>Law No. 4288 of 20 December 1968 – Organic Law of the Professional Association of Biologists (<i>Ley Orgánica del Colegio de Biólogos</i>) – Articles 6 and 7.</p> <p>Executive Decree No. 39 of 6 May 1970 – Regulation of the Organic Law of the Professional Association of Biologists of Costa Rica (<i>Reglamento de la Ley Orgánica del Colegio de Biólogos de Costa Rica</i>) – Articles 2, 10, 11, 16, 17, 18 and 19.</p> <p>Law No. 9148 of 09 July 2013 – Organic Law of the Professional Association of Professionals in Librarianship of Costa Rica (<i>Ley Orgánica del Colegio de Profesionales en Bibliotecología de Costa</i></p>
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	<p><i>Rica</i>) – Articles 3 and 5.</p> <p>Regulation No. 0-A of 23 February 2015 – Regulation to the Organic Law of the Professional Association of Professionals in Librarianship of Costa Rica (<i>Reglamento a la Ley Orgánica del Colegio de Profesionales en Bibliotecología de Costa Rica</i>) – Articles 8, 11 and 87.</p> <p>Law No. 7537 of 22 August 1995 – Organic Law of the Professional Association of Professionals in Computer and Informatics (<i>Ley Orgánica del Colegio de Profesionales en Informática y Computación</i>) – Articles 3, 4, 6, 8 and 9.</p> <p>Executive Decree No. 35661-MICIT of 18 November 2009 – General Regulation of the Organic Law of the Professional Association of Professionals in Computer and Informatics (<i>Reglamento General de la Ley Orgánica del Colegio de Profesionales de Informática y Computación</i>) – Articles 1, 22 and 23.</p> <p>Law No. 8142 of 05 November 2001 – Law of Official Translations and Interpretations (<i>Ley de Traducciones e Interpretaciones Oficiales</i>) – Article 6.</p> <p>Executive Decree No. 30167-RE of 25 January 2002 – Regulation to the Law of Official Translations and Interpretations (<i>Reglamento a la Ley de Traducciones e Interpretaciones Oficiales</i>) - Article 10.</p> <p>Law No. 7105 of 31 October 1988 – Organic Law of the Professional Association of Professionals in Economical Sciences (<i>Ley Orgánica del Colegio de Profesionales en Ciencias Económicas</i>) – Articles 4, 6, 15, 19 and 20.</p> <p>Executive Decree No. 20014-MEIC of 19 September 1990 – General Regulation of the Professional Association of Professionals in Economical Sciences of Costa Rica (<i>Reglamento General del Colegio de Profesionales en Ciencias Económicas de Costa Rica</i>) – Articles 10, 14 and 17.</p> <p>Regulation No. 77 of 20 June 2009 – Regulation of Admission of the Professional Association of Professionals in Economical Sciences of Costa Rica (<i>Reglamento de Admisión del Colegio de Profesionales en Ciencias Económicas de Costa Rica</i>) – Articles 10, 12, 13 and 24.</p> <p>Executive Decree No. 24686 of 19 September 1995 – Regulation of Professional Audit of Consulting Entities (<i>Reglamento de Fiscalización Profesional de Entidades Consultoras</i>) – Articles 2 and 5.</p> <p>Law No. 7503 of 03 May 1995 – Organic Law of the Professional</p>
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	<p>Association of Physicists (<i>Ley Orgánica del Colegio de Físicos</i>) – Articles 6 and 10.</p> <p>Executive Decree No. 28035-MINAE-MICITT of 14 April 1999 – Regulation to the Organic Law of the Professional Association of Physicists (<i>Reglamento a la Ley Orgánica del Colegio de Físicos</i>) – Articles 4, 6, 7, 10, 11, 18 and 21.</p> <p>Law No. 8863 of 18 September 2010 – Organic Law of the Professional Association of Professionals in Orientation (<i>Ley Orgánica del Colegio de Profesionales en Orientación</i>) – Articles 3, 4, 8 and 10.</p> <p>Law No. 6144 of 28 November 1977 – Organic Law of the Professional Association of Psychologists of Costa Rica (<i>Ley Orgánica del Colegio Profesional de Psicólogos de Costa Rica</i>) – Articles 4, 5, 6 and 7.</p> <p>Regulation to the Organic Law of the Professional Association of Psychologists of Costa Rica (<i>Reglamento a la Ley Orgánica del Colegio Profesional de Psicólogos de Costa Rica</i>), approved in Session No. 3 of the Ordinary General Assembly of 9 March 1979 – Articles 9, 10, and 11.</p> <p>Regulation of 20 of March 2017– Regulation for the Incorporation of Professionals in Psychology (<i>Reglamento para la Incorporación de Profesionales en Psicología</i>) – Article 18.</p> <p>Regulation of 26 May 2010 – Regulation of Psychological Specializations (<i>Reglamento de Especialidades Psicológicas</i>) – Articles 1, 4, 5 and 18.</p> <p>Law No. 8676 of 18 November 2008 – Organic Law of the Professional Association of Nutrition Professionals (<i>Ley Orgánica del Colegio de Profesionales en Nutrición</i>) – Articles 2, 7, 11 and 13.</p> <p>Agreement No. 01-2009 of 23 September 2009 – Regulation of Incorporation to the Professional Association of Nutrition Professionals of Costa Rica (<i>Reglamento de Incorporación al Colegio de Profesionales en Nutrición de Costa Rica</i>) – Articles 2, 3, 9 and 10.</p> <p>Law No. 3943 of 06 September 1967 – Organic Law of the Professional Association of Social Workers (<i>Ley Orgánica del Colegio de Trabajadores Sociales</i>) – Articles 2 and 12.</p> <p>Executive Decree No. 26 of 15 July 1969 – Regulation to the Law of the Professional Association of Social Workers (<i>Reglamento a la Ley del Colegio de Trabajadores Sociales</i>) – Articles 14, 66, 67, 69 and 70.</p>
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	<p>Law No. 7912 of 21 September 1999 – Organic Law of the Professional Association of Chiropractic Professionals (<i>Ley Orgánica del Colegio de Profesionales en Quiropráctica</i>) – Article 7.</p> <p>Executive Decree No. 28595-S of 23 March 2000 – Regulation to the Organic Law of the Professional Association of Chiropractic Professionals (<i>Reglamento de la Ley Orgánica del Colegio de Profesionales en Quiropráctica</i>) – Articles 5, 8 and 15.</p> <p>Executive Decree No. 25068-8 of 21 March 1996 – Regulation of Obligatory Social Service for the Professionals in Health Sciences (<i>Reglamento de Servicio Social Obligatorio para los Profesionales en Ciencias de la Salud</i>) – Articles 7, 13, 14, 17, 18, 21 and 22.</p> <p>Law No. 8831 of 28 April 2010 – Organic Law of the Professional Association of Criminology Professionals in Costa Rica (<i>Ley Orgánica del Colegio de Profesionales en Criminología de Costa Rica</i>) – Articles 4, 7, 8, 12 and 14.</p> <p>Regulation No. 40010-JP of 12 September 2016 – Internal Regulation of the Professional Association of Criminology Professionals in Costa Rica (<i>Reglamento Interno del Colegio de Profesionales en Criminología de Costa Rica</i>) – Articles 4, 5, 6, 8 and 13.</p> <p>Law No. 4770 of 13 October 1972 – Organic Law of the Professional Association of Licenciates and Professors in Liberal Arts and Philosophy, Sciences and Arts (<i>Ley Orgánica del Colegio de Licenciados y Profesores en Letras y Filosofía, Ciencias y Artes</i>) – Articles 3, 4 and 7.</p> <p>Regulation No. 91 of 13 November 1999 – General Regulation of the Professional Association of Licenciates and Professors in Liberal Arts and Philosophy, Sciences and Arts (<i>Reglamento General del Colegio de Licenciados y Profesores en Letras y Filosofía, Ciencias y Artes</i>) – Articles 32 and 33.</p> <p>Regulation No. 96 of 28 August 2008 – Manual of Incorporation of the Professional Association of Licenciates and Professors in Liberal Arts and Philosophy, Sciences and Arts (<i>Manual de Incorporación del Colegio de Licenciados y Profesores en Letras, Filosofía, Ciencias y Artes</i>) – Articles 5, 6, 7 and 8.</p> <p>Law No. 771 of 25 October 1949 – Organic Law of the Professional Association of Microbiologists (<i>Ley Orgánica del Colegio de Microbiólogos</i>) – Articles 2 and 8.</p> <p>Executive Decree No. 12 of 30 September 1957 – Internal Regulation</p>
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	<p>of the Professional Association of Microbiologists (<i>Reglamento Interno del Colegio de Microbiólogos</i>) – Articles 17, 79 and 80.</p> <p>Executive Decree No. 21034-S of 28 January 1992 – Regulation on the Statute of Microbiology and Clinical Chemistry Services (<i>Reglamento de Estatuto de Servicios de Microbiología y Química Clínica</i>) - Article 63.</p> <p>Law No. 8974 of 04 August 2011 – Creation of the Professional Association of Professionals in Sociology of Costa Rica (<i>Creación del Colegio de Profesionales en Sociología de Costa Rica</i>) – Articles 3, 9, 30, 37 and 39.</p> <p>Executive Decree No. 38129-MP of 16 December 2013 – Regulation of the Professional Association of Professionals in Sociology of Costa Rica (<i>Reglamento del Colegio de Profesionales en Sociología de Costa Rica</i>) – Articles 3 and 8.</p> <p>Law No. 8989 of 13 September 2011 – Law of the Professional Association of Therapists (<i>Ley del Colegio de Terapeutas</i>) – Articles 8, 9, 11, 37, 40, 41 and 42.</p> <p>Executive Decree No. 37562 of 08 January 2013 – Regulation of Medical Specializations and Sub-specializations (<i>Reglamento de Especialidades y Subespecialidades Médicas</i>) – Article 7.</p> <p>Executive Decree No. 37717-S of 17 January 2013 – Regulation of Masters and PhDs in the Areas of Medical Sciences (<i>Reglamento de Maestrías y Doctorados Académicos en las Áreas de Ciencias Médicas</i>) – Article 8.</p> <p>Executive Decree No. 19301 of 13 November 1989 – Regulation of Empirical Midwives (<i>Reglamento de Parteras Empíricas</i>) – Article 2.</p> <p>Regulation SUGEF 32-10 of 03 December 2010 – General Regulation of External Auditors (<i>Reglamento General de Auditores Externos</i>) – Articles 5, 6, and 7.</p>
<p>Description:</p>	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Only the professional services suppliers duly incorporated to the respective professional association in Costa Rica are authorized to practice the profession in the Costa Rican territory, including advisory and consulting.</p> <p>To join Costa Rica’s Professional Associations of Public Accountants, Pharmacists, Geologists, Engineers and Architects, Physicians and Surgeons, Veterinarians, Lawyers, Notaries, Dental Surgeons, Optometrists, Journalists, Nurses, Medical and Surgical Technicians and Medical Sciences Branches, all foreign</p>

professionals must prove that, in their home jurisdiction where they are allowed to practice, Costa Rican nationals can exercise their profession under like circumstances.

To join Costa Rica's Professional Associations of Public Accountants, Pharmacists, Geologists, Sociologists, Agronomical Engineers (including Forestry or Agriculture/Livestock Appraisers-Surveyors), Physicians and Surgeons, Veterinarians, Dental Surgeons, Journalists, Medical and Surgical Technicians and Medical Sciences Branches, Computer and Informatics, and Official Translators and Interpreters, foreign professionals must have the migratory status of residents in Costa Rica at the time of applying for membership, as well as have a certain minimum number of years of residence. The number of years varies from one Professional Association to another, but usually ranges between two to five years.

To join Costa Rica's Professional Associations of Lawyers, Notaries, Engineers and Architects, Nurses, Chemists and Chemical Engineers and Related Branches, Biologists, Librarians, Psychologists, Political Scientists and International Relations Specialists, Physicists, Economical Science Professionals, Criminologist, Science and Literature Professors and Private Accountants, foreign professionals must have the migratory status of residents in Costa Rica at the time of applying for membership.

Incorporation to the Professional Association of Public Accountants and Professional Association of Physicians and Surgeons is subject to nationality requirements. Authorizations to provide midwives services are subject to nationality requirements at the time of applying for authorization.

Only Costa Ricans can be members of the Board of Directors of the Professional Association of Architects and Engineers.

In the case of audits of entities that are part of groups or financial conglomerates domiciled abroad, the audit firm of the country in which the entity is domiciled shall meet the following requirements: a) it shall be registered and active in a professional registry counterpart to the respective Costa Rican professional association, as well as in the registry of the relevant public regulator, if such record exist; b) it shall be a representative of a firm that operates at an international level, which in turn, has representation in Costa Rica.

To exercise as a Notary, it is required to have an office open to the public in Costa Rica.

Only Costa Rican professionals duly registered in the Professional Association of Agronomical Engineers (*Colegio de Ingenieros Agrónomos*) can supply their services for consulting enterprises in agronomical sciences operating in Costa Rica to comply with the 50

	<p>percent legal requirement of total professional consulting advisory time.</p> <p>Consulting or advisory work in the field of agronomical sciences carried out in Costa Rica under the auspices of foreign governments or international institutions shall be jointly conducted by Costa Rican nationals registered in the Professional Association (<i>Colegio</i>), along with foreign nationals.</p> <p>Foreign corporations can only advertise and exercise public accountancy services in Costa Rica through Costa Rican professionals or Costa Rican offices.</p> <p>Foreign professionals in Sociology and foreign professional specialists in Pharmacy and in Political Sciences and International Relations may only be hired by public or private entities in Costa Rica when they are active members of Costa Rica's Professional Association and insufficiency (<i>inopia</i>) of Costa Rican professionals has been declared.</p> <p>Foreign journalists may only cover events in Costa Rica only if they are residents of Costa Rica, except when they have a valid permit issued by the Board of Directors of the Professional Association of Journalists (<i>Colegio de Periodistas</i>) waiving this requirement for up to one year.</p> <p>All Physicians and Surgeons, Dental Surgeons, Microbiologists, Pharmacists, Nurses, Nutritionists and Psychologists must perform the equivalent of a one-year continuous, remunerated mandatory social services requirement in Costa Rica.</p> <p>The assignment of the slots to perform mandatory social services is made through a draw. If there are enough slots to perform mandatory social services for all applicants, applicants who are Costa Rican nationals are given priority over applicants who are foreign nationals with respect to assignment of the specific slots.</p> <p>If the number of slots offered in the draw is less than the number of applicants, applicants who are Costa Rican nationals shall have the priority to freely choose if they want to participate or not in the draw. Such choice shall be respected as long as the number of applicants who do not wish to choose a slot is equal to or less than the number of shortage of slots. When the number of applicants who are Costa Rican nationals that do not wish to participate in the draw exceeds the number of shortage of slots, a lottery shall be made among them to determine who shall participate in the drawing of slots.</p> <p>If there is still a shortage of slots when the applicants who are Costa Rican nationals have already made their choice, the same procedure shall be applied for the drawing of slots among applicants who are</p>
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	<p>foreign nationals.</p> <p>Subject to the conditions and terms included in the legislation and regulations applicable to each professional category listed above, the mandatory social service requirement may be waived for temporary professional practice.</p> <p>Foreign Physicians, Surgeons, specialists on fields related to medical sciences and Dental Surgeons shall only be hired by State institutions if Costa Rican professional services suppliers are not willing to provide their services under the conditions required by such institutions.</p> <p>The owner of an audiological establishment shall have a national identity card or legal personality card.</p>
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5. Sector:	Land Transportation Services – Road Freight Transportation
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Most-Favoured-Nation Treatment (Articles 9.4 and 10.3) Senior Management and Board of Directors (Article 9.10) Market Access (Article 10.4)
Level of Government:	Central
Measures:	Executive Decree No. 31363– MOPT of 02 June 2003 – Regulation of Road Circulation based on Weight and Dimensions of Freight Vehicles (<i>Reglamento de Circulación por Carretera con base en el Peso y las Dimensiones de los Vehículos de Carga</i>) – Articles 69 and 71. Executive Decree No. 15624– MOPT of 28 August 1984 – Regulation of Automotive Freight Transport (<i>Reglamento del Transporte Automotor de Carga Local</i>) – Articles 5, 7, 8, 9, 10 and 12.
Description:	<u>Investment and Cross– Border Trade in Services</u> Only Costa Rican nationals or enterprises may supply motorized transportation services between two points within the territory of Costa Rica. Such an enterprise must meet the following requirements: (a) at least 51 percent of its capital must be owned by Costa Rican nationals; and (b) Costa Rican nationals must have effective control and management of the enterprise. No motor vehicle, trailer, or tractor-trailer with foreign license plates may transport goods within the territory of Costa Rica. This prohibition does not apply to vehicles, trailers, or tractor-trailers registered in one of the Central American countries. Foreign enterprises involved in international multi-modal freight transportation must contract enterprises organized under the laws of Costa Rica to transport containers and tractor-trailers within Costa Rica.

6. Sector:	Tourist Guides
Obligations Concerned:	National Treatment (Article 10.2)
Level of Government:	Central
Measures:	Executive Decree No. 31030-MEIC-TUR of 17 January 2003 – Regulation of Tourist Guides (<i>Reglamento de los Guías de Turismo</i>) – Article 11.
Description:	<u>Cross– Border Trade in Services</u> Only Costa Rican nationals or residents may apply for tourist guides licenses.

7. Sector:	Travel Agencies and Tourism
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Performance Requirements (Article 9.9) Market Access (Article 10.4)
Level of Government:	Central
Measures:	<p>Law No. 5339 of 23 August 1973 – Regulatory Law on Travel Agencies (<i>Ley Reguladora de las Agencias de Viajes</i>) –Article 8.</p> <p>Law No. 6990 of 15 July 1985 – Law of Incentives for Tourism Development (<i>Ley de Incentivos para el Desarrollo Turístico</i>) – Articles 6 and 7.</p> <p>Law No. 8724 of 17 July 2009 – Law for the Promotion of Community Rural Tourism (<i>Fomento del Turismo Rural Comunitario</i>) –Articles 1, 4 and 12.</p> <p>Executive Decree No. 24863-H-TUR of 5 December 1995 – Regulation of the Law of Incentives for Tourism Development (<i>Reglamento Ley de Incentivos para el Desarrollo Turístico</i>) – Articles 18, 32, 33, 34, 35, 36 and 36 bis.</p> <p>Executive Decree No. 25148-H-TUR of 20 March 1996 – Regulates Renting of Vehicles to National and Foreign Tourists (<i>Regula Arrendamiento de Vehículos a Turistas Nacionales y Extranjeros</i>) – Article 7.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Costa Rica reserves the right to limit the number of travel agencies authorized to operate in Costa Rica based on demand for that service.</p> <p>Costa Rica reserves the right to limit the granting of incentives for tourism development based on: the contribution to the balance of payments; the use of national raw material and inputs; the creation of direct and indirect jobs; the effects on regional development; the modernization or diversification of national tourism offer; the increases of the internal and international tourism demand; and the benefits reflected in other sectors.</p> <p>Rural community tourism activities can only be performed by enterprises incorporated in Costa Rica as associations or as rural self-managed cooperatives, in accordance with Costa Rican law. Economic needs tests are required.</p> <p>In evaluating applications by enterprises for benefits in the rural community tourism sector, it shall be taken into account that the enterprise uses raw material produced in the zone of influence of the tourism project.</p>

8. Sector:	Transportation Services - Custom Brokers - Assistant Custom Brokers - Custom Transportation Agents - Other public function customs auxiliary
Obligations Concerned:	National Treatment (Article 10.2) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Law No. 7557 of 20 October 1995 – General Customs Law (<i>Ley General de Aduanas</i>) – Articles 28, 29, 33, 35, 40, 41, 44, 46 and 49.</p> <p>Executive Decree No. 25270-H of 14 June 1996 – Regulation to the General Customs Law (<i>Reglamento a la Ley General de Aduanas</i>) – Articles 77, 78 and 113.</p> <p>Executive Decree No. 38998 of 24 February 2015 - Regulation of the Customs Facilitation Programme for Reliable Trade in Costa Rica (<i>Reglamento del Programa de Facilitación Aduanera para el Comercio Confiable en Costa Rica</i>) – Articles 2, 7 and 12.</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only persons or enterprises that have a legal representative and corporate headquarters in Costa Rica may act as a customs transportation agent, international freight agent, customs depositary, or other public function customs auxiliary.</p> <p>Only Costa Rican nationals may act as customs brokers.</p> <p>Natural and juridical persons wishing to obtain the status of trusted business and the subsequent benefits from the Customs Facilitation Programme for Reliable Trade in Costa Rica (PROFAC, for its Spanish acronym) must be domiciled in the Costa Rican national customs territory and, in the case of juridical persons, be constituted according to Costa Rican law.</p>

9. Sector:	Scientific, Research and Sporting Services Services Incidental to Agriculture, Animal Husbandry, Aquaculture, Logging and Forestry
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Law No. 7788 of 30 April 1998 – Biodiversity Law (<i>Ley de Biodiversidad</i>) – Articles 7 and 63. Law No. 7317 of 30 October 1992 – Wildlife Conservation Law (<i>Ley de Conservación de la Vida Silvestre</i>) – Articles 2, 28, 29, 31,38, 39, 61, 64 and 66. Executive Decree No. 32633-MINAE of 10 March 2005 – Regulation to the Wildlife Conservation Law (<i>Reglamento a la Ley de Conservación de la Vida Silvestre</i>) – Chapter V.
Description:	<u>Investment and Cross-Border Trade in Services</u> Foreign nationals or enterprises domiciled abroad that supply scientific research and bioprospecting ³ services with regard to biodiversity ⁴ in Costa Rica, shall designate a legal representative that resides in Costa Rica. A license for scientific or cultural collection of species, scientific hunting, and scientific or cultural fishing shall be issued for a maximum of one year for Costa Rican nationals or resident foreigners, and six months or less for all other foreigners. Costa Rican nationals and resident foreigners shall pay a lower fee than non-resident foreigners to obtain this license.

³“Bioprospecting” includes the systematic search, classification, and investigation, for commercial purposes, of new sources of chemical compounds, genes, proteins, microorganisms, and other products with real or potential economic value found in biodiversity.

⁴“Biodiversity” includes the variability of live organisms of any source, found in land, air, marine, aquatic, or other ecological ecosystems, as well as the diversity within each species and between species and the ecosystems of which they are a part. Biodiversity also includes intangible elements such as: the knowledge, innovation, and individual or collective traditional practice, with real or potential economic value, associated with genetic and bio-chemical resources protected or not by intellectual property rights or *sui generis* registry systems.

10. Sector:	Free Zones
Obligations Concerned:	Performance Requirements (Article 9.9)
Level of Government:	Central
Measures:	<p>Law No. 7210 of 23 November 1990 – Free Zone Regime Law (<i>Ley de Régimen de Zonas Francas</i>) – Article 22.</p> <p>Executive Decree No. 34739-COMEX-H of 29 August 2008 – Regulation to the Free Zone Regime Law (<i>Reglamento a la Ley de Régimen de Zonas Francas</i>) – Article 71 and Chapter 13.</p>
Description:	<p><u>Investment</u></p> <p>An enterprise established in the Free Zone in Costa Rica may introduce into Costa Rica’s customs territory up to twenty-five percent of its total sales. However, in the case of exporter industries and services enterprises, they may introduce into Costa Rica’s customs territory a maximum percentage of 50 percent.</p> <p>A non-producer exporter commercial enterprise, established in the Free Zone in Costa Rica that simply handles, re-packs or redistributes non-traditional goods and products for exportation or re-exportation, cannot introduce any percentage of its total sales into Costa Rica’s customs territory.</p>

11. Sector:	News Agency Services
Obligations Concerned:	National Treatment (Article 10.2) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Executive Decree No. 32599 of 13 June 2005 – Regulation of the Professional Association of Journalists of Costa Rica (<i>Reglamento del Colegio de Periodistas de Costa Rica</i>) – Articles 3, 47 and 48.
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Except if authorized, a journalist who is a foreign national may cover events in Costa Rica only if he or she is a resident of Costa Rica.</p> <p>The Board of Directors of the Professional Association of Journalists (<i>Colegio de Periodistas</i>) may grant non-resident foreign nationals a special permit to cover events in Costa Rica for up to one year and may extend that period, provided that doing so does not harm or conflict with the interests of members of the Professional Association of Journalists (<i>Colegio de Periodistas</i>).</p> <p>If the Professional Association of Journalists (<i>Colegio de Periodistas</i>) decides that an event of international importance will or has occurred in Costa Rica, the Professional Association of Journalists (<i>Colegio de Periodistas</i>) may grant a non-resident foreign national with appropriate professional credentials a temporary permit to cover the event for the foreign media the journalist represents. Such permit may be valid for up to one month after the event.</p>

12. Sector:	Tourism Marinas and Related Services
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Law No. 7744 of 19 December 1997 – Law of Concession and Operation of Tourist Marinas and Berths (<i>Ley de Concesión y Operación de Marinas y Atracaderos Turísticos</i>) – Articles 1, 5, 12 and 21. Executive Decree No. 38171-TUR-MINAE-S-MOPT of 17 October 2013 – Regulation to the Law of Concession and Operation of Tourist Marinas and Berths (<i>Reglamento a la Ley de Concesión y Operación de Marinas y Atracaderos Turísticos</i>) - Articles 29, 67 and 68.
Description:	<u>Investment and Cross-Border Trade in Services</u> To obtain concessions to develop tourism marinas or docking facilities, enterprises with their principal place of business abroad must be established in Costa Rica. The granting of the concession for tourism marinas is subject to economic needs tests. Foreign nationals shall appoint a representative with sufficient legal authority and with permanent residence in Costa Rica. All foreign flag vessels using marina services will have a two-year permit to remain in Costa Rican waters and territory, extendable for like periods. While in Costa Rican waters and territories, foreign flag vessels and their crew cannot supply profit-making activities of water transportation services, or fishing, diving, or other sports or tourism-related activities.

13. Sector:	Importation and Wholesale Distribution – Crude Oil and Its Derivatives
Obligations Concerned:	Market Access (Article 10.4)
Level of Government:	Central
Measures:	Law No. 7356 of 24 August 1993 – Law of the Hydrocarbon State Monopoly by Recope “Establishes Monopoly in favor of the State for the Import, Refining and Distribution of Oil, Fuels, Asphalts and Naphthas” (<i>Ley del Monopolio Estatal de Hidrocarburos Administrado por Recope “Establece Monopolio a favor del Estado para la Importación, Refinación y Distribución de Petróleo, Combustibles, Asfaltos y Naftas”</i>) – Articles 1, 2 and 3.
Description:	<u>Cross-Border Trade in Services:</u> Importation and wholesale distribution of crude oil and its derivatives, including fuels, asphalts, and naphthas to satisfy the national demand, are State monopolies.

14. Sector:	Wholesale and Retail Distribution Services – Private pharmaceutical establishments
Obligations Concerned:	Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Law No. 5395 of 30 October 1973 – General Health Law (<i>Ley General de Salud</i>) –Articles 96, 97, 100, 101, 102, 106, 112, 119, 128, 132, 133 and 134.</p> <p>Executive Decree No. 16765 of 13 December 1985 – Regulation of Private Pharmaceutical Establishments (<i>Reglamento de Establecimientos Farmacéuticos Privados</i>) – Articles 3, 5, 6, 20 and 27.</p> <p>Executive Decree No. 25493-S of 30 August 1996 – Provisions for the Registration of Pharmaceutical Establishments in the Ministry of Health, Both to Start Operations and to Renew the Permit Every Two Years (<i>Disposiciones para la inscripción de los establecimientos farmacéuticos en el Ministerio de Salud, tanto para iniciar operaciones como para renovar el permiso cada dos años</i>) – Articles 1 and 2.</p> <p>Law No. 7786 of 30 April 1998 – Law on Narcotics, Psychotropic Substances, Drugs of Unauthorized Use, Related Activities, Legitimization of Capital and Financing of Terrorism (<i>Ley sobre estupefacientes, sustancias psicotrópicas, drogas de uso no autorizado, actividades conexas, legitimación de capitales y financiamiento al terrorismo</i>) – Articles 2 and 38.</p> <p>Executive Decree No. 37111-S of 12 January 2012 – Regulation for the Control of Narcotic and Psychotropic Drugs (<i>Reglamento para el Control de Drogas Estupefacientes y Psicotrópicas</i>) – Articles 15, 16, 18, 21, 41, 42, 44 and 50.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>A person that supplies retail and wholesale services of pharmaceutical and veterinary products, including narcotics (<i>estupefacientes</i>), psychotropic substances, cosmetics and dietary supplements that contain medicinal substances, must be established in Costa Rica. Such pharmaceutical establishment must be registered and approved by the competent authorities and the authorization is limited to a specific timeframe.</p> <p>All private pharmaceutical establishments require the regency of the corresponding professional for its operation. This professional can</p>

	<p>only oversee one establishment at a time.</p> <p>The importation and distribution of narcotics and psychotropic substances are subject to economic needs tests.</p>
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15. Sector:	Wholesale and Retail Distribution Services – Biomedical Equipment and Materials
Obligations Concerned:	Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Executive Decree No. 34482-S 03 of March of 2008 – Regulation for the Registration, Classification, Importation and Control of Biomedical Equipment and Material (<i>Reglamento para el registro, clasificación, importación y control de equipo y material biomédico</i>) – Articles 5, 6, 7, 8, 9, 10 and 21.
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>The importation, commercialization and distribution of biomedical equipment and materials requires registration before the competent health authority. A person seeking to import such products must have a legal representative in Costa Rica. A person that distributes biomedical equipment and materials- wholesale or retail- must have an office in Costa Rica.</p>

16. Sector:	Water Transportation Services ⁵
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Law No. 104 of 06 June 1853 – Commercial Code of 1853 – Book III of Maritime Trade (<i>Código de Comercio de 1853- Libro III Del Comercio Marítimo</i>) – Articles 537 and 580.</p> <p>Law No. 12 of 22 October 1941 – Law of Ship Flagging (<i>Ley de Abanderamiento de Barcos</i>) – Articles 5, 41 and 43.</p> <p>Executive Decree No. 12568-T-S-H of 30 April 1981 – Regulation of the Costa Rican Vessel Registry (<i>Reglamento del Registro Naval Costarricense</i>) – Articles 8, 10, 11, 12 and 13.</p> <p>Executive Decree No. 23178-J-MOPT of 18 April 1994 – Transfers the National Registry of Ships to the Public Registry of Movable Property (<i>Traslada Registro Nacional Buques al Registro Público Propiedad Mueble</i>) – Article 5.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Only Costa Rican nationals, Costa Rican public entities, enterprises constituted and domiciled in Costa Rica, and shipping company representatives can register vessels in Costa Rica. This rule may not apply to foreign nationals or foreign enterprises registering vessels smaller than 50 tons for non-commercial use only.</p> <p>All natural persons or enterprises established abroad that own one or more foreign registered vessels located in Costa Rica shall appoint and maintain an agent or legal representative in Costa Rica to act as liaison with the official authorities in all vessel-related matters.</p> <p>Trade activities and tourist water transportation activities between Costa Rican ports must be conducted by vessels registered in Costa Rica.</p> <p>Foreign nationals who wish to act as captain of a vessel with Costa Rican registry and flag must post a bond equivalent to at least half of the value of the vessel under his/her command.</p>

⁵ For greater certainty, maritime services in national ports are subject to Entry CR- 4 [Public Services] and Entry CR- 11 [Railways, Ports and Airports] in Annex II.

	<p>At least ten per cent of the crew on Costa Rican registered vessels used for international traffic that call on Costa Rican ports shall be Costa Rican nationals, provided that such trained personnel are available domestically.</p>
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17. Sector:	Air Transportation Services and Specialty Air Services
Obligations Concerned:	National Treatment (Article 9.3) Most-Favoured Nation Treatment (Article 9.4)
Level of Government:	Central
Measures:	<p>Law No. 5150 of 14 May 1973 – General Law of Civil Aviation (<i>Ley General de Aviación Civil</i>) – Articles 36, 37, 42, 128, 143, 149, 150, 156 and 172.</p> <p>Executive Decree No. 4440 of 3 January 1975 – Regulation for the Operation of the Costa Rican Aeronautical Registry (<i>Reglamento para la Operación del Registro Aeronáutico Costarricense</i>) – Articles 20 and 38.</p> <p>Executive Decree No. 38716-MOPT of 16 June 2014 – Regulation of Licenses for Aeronautical Technical Personnel, named RAC-LPTA - Costa Rican Aeronautical Regulations (<i>Reglamento de Licencias al Personal Técnico Aeronáutico, denominado RAC-LPTA Regulaciones Aeronáuticas Costarricenses</i>).</p> <p>Executive Decree No. 31520-MS-MAG-MINAE-MOPT-MGPSP of 16 October 2003 – Regulation for Agricultural Aviation Activities (<i>Reglamento para las Actividades de la Aviación Agrícola</i>) - Article 13.</p> <p>Executive Decree No. 37972-MOPT of 16 August 2013 – Regulation for the Granting of Operating Certificates (<i>Reglamento para el otorgamiento de certificados de explotación</i>) - Article 4.</p>
Description:	<p><u>Investment</u></p> <p>Certificates for the supply of any aeronautical services shall be issued to foreign enterprises constituted under foreign law, based on the principle of reciprocity.</p> <p>Only Costa Rican nationals or enterprises may register aircraft in the Costa Rican Aeronautical Registry (<i>Registro Aeronáutico Costarricense</i>) to be used for remunerated air activities. Foreign nationals that legally reside in Costa Rica may also register aircraft used exclusively for non-commercial purposes.</p> <p>In the absence of agreements or conventions, certificates for the supply of international air transportation shall be issued based on the principle of reciprocity.</p> <p>At least 51 percent of the capital of enterprises wishing to obtain an exploitation certificate for developing agricultural aviation activities must be owned by Costa Rican nationals.</p>

	Every holder of a provider certificate must maintain an operation and maintenance base in Costa Rica.
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18. Sector:	Telecommunications Services ⁶
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Political Constitution of the Republic of Costa Rica (<i>Constitución Política de la República de Costa Rica</i>) – Article 121, paragraph 14.</p> <p>Law No. 8642 of 04 June 2008- General Telecommunications Law (<i>Ley General de Telecomunicaciones</i>)- Articles 1, 5, 7, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 28 and 30.</p> <p>Executive Decree No. 34765-MINAET of 22 September 2008 – Regulation to the General Telecommunications Law (<i>Reglamento a la Ley General de Telecomunicaciones</i>) – Articles 2, 6, 7, 10, 21, 22, 33, 34, 35, 37, 43, 45, 45 bis and 46.</p> <p>Law No. 8660 of 08 August 2008 – Law on Strengthening and Modernization of Public Entities in the Telecommunications Sector (<i>Ley de Fortalecimiento y Modernización de las Entidades Públicas del Sector Telecomunicaciones</i>) – Articles 5, 7, 18 and 39.</p> <p>Law No.7789 of 30 April 1998 – Law of Transformation of the Public Services Enterprise of Heredia ESPH (<i>Ley de Transformación de la Empresa de Servicios Públicos de Heredia ESPH</i>) – Articles 7 and 15.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>In Costa Rica, wireless services shall not be permanently removed from State ownership and can only be exploited by the public administration or by private parties, in accordance with the law or by a special concession granted for a limited time and subject to conditions and stipulations to be established by the Legislative Assembly of Costa Rica.</p> <p>Concessions, authorizations and permits shall be required to supply telecommunications services in Costa Rica. Economic needs tests are required to grant such concessions, authorizations and permits.</p> <p>The supply of basic traditional telephony services (<i>telefonía básica tradicional</i>) requires a special concession granted by the Legislative Assembly of Costa Rica.</p>

⁶ Defined as all services consisting, totally or principally, in the transport of signals through telecommunications networks, except broadcasting.

	<p>Participation in the capital of enterprises constituted or acquired by the Costa Rican Institute of Electricity (<i>Instituto Costarricense de Electricidad</i>) shall be limited to 49 per cent.</p> <p>The Public Services Enterprise of Heredia (<i>Empresa de Servicios Públicos de Heredia</i>) can establish joint ventures with persons established under public or private law, provided that the latter have a minimum of 51 per cent of Costa Rican capital.</p> <p>Services must be supplied through a commercial presence. Residency requirements apply.</p>
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19. Sector:	Audiovisuals – Advertising – Services of Cinema, Radio, Television, and Other Shows
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Most-Favoured Nation (Articles 9.4 and 10.3) Performance Requirements (Article 9.9) Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Law No. 8642 of 04 July 2008 – General Telecommunications Law (<i>Ley General de Telecomunicaciones</i>) – Articles 1, 4, 7, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25 and 30.</p> <p>Executive Decree No. 34765-MINAET of 22 September 2008 – Regulation to the General Telecommunications Law (<i>Reglamento a la Ley General de Telecomunicaciones</i>) – Articles 5, 127, 128, 131, 133, 134, 138, 140 and 141.</p> <p>Law No. 6220 of 20 April 1978 – Law that Regulates Broadcast Media and Advertising Agencies (<i>Ley que Regula Medios de Difusión y las Agencias de Publicidad</i>) – Articles 3 and 4.</p> <p>Law No. 1758 of 19 June 1954 – Radio Act (Wireless Services) (<i>Ley de Radio (Servicios Inalámbricos)</i>) – Article 7, 11,12 and 25.</p> <p>Law No. 4325 of 17 February 1969 –Advertisement of Artistic Programs of National Production (<i>Publicidad Programas Artísticos de Producción Nacional</i>) – Article 1.</p> <p>Law No. 5812 of 10 October 1975 – Law that Regulates Hiring and Taxes to Foreign Entertainment Artists (<i>Ley que Regula Contratación e Impuestos a Artistas Extranjeros del Espectáculo</i>) – Article 3.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Wireless services shall not be permanently removed from State ownership and they may be exploited only by the public administration or by private parties, in accordance with the law or under a special concession granted for a limited time and on the basis of conditions and stipulations to be established by the Legislative Assembly.</p> <p>Concessions, authorizations and permits shall be required to supply radio and television transmission services by subscription in Costa Rica. Economic needs tests are required to grant such concessions, authorizations and permits. Such services must be supplied through a</p>

	<p>commercial presence. Residency requirements apply.</p> <p>For integrated terrestrial television systems by subscription, concessionaires shall include in its programming the Costa Rican television channels that cover at least sixty percent of the Costa Rican territory, which meet a minimum of fourteen hours of daily transmission, that the signal reception meets the minimum requirements set out in the regulation, which have acceptable rates of audience and have the corresponding transmission rights. The television services by subscription, will broadcast integrally, without modifications, including advertising of the transmitted national channels.</p> <p>Only natural or legal persons in the form of sole proprietorship/personal companies (<i>sociedades personales</i>) or enterprises of capital with nominative stocks may exploit mass media and advertising agencies. Such companies (<i>sociedades</i>) shall be registered in the Public Registry (<i>Registro Público</i>).</p> <p>It is absolutely forbidden to encumber shares and quotas of a company owning any media or advertising agency in favour of corporations (<i>sociedades anónimas</i>) with bearer shares (<i>acciones al portador</i>), or of natural or juridical foreign persons.</p> <p>Commercial breaks (<i>cuñas</i>), spots and filmed commercials used in programs sponsored by the State's autonomous or semi-autonomous institutions, the Government of the Republic and all entities supported by the State, shall be produced by Costa Rican nationals.</p> <p>Broadcasters in commercial breaks for cinema, radio and television shall register with the Department of Radio of the Ministry of Science, Technology and Telecommunications. Foreign broadcasters shall be residents in Costa Rica in order to register with the Department of Radio. The broadcasting of commercial breaks shall not be authorized if the broadcasters are not registered as required under the Regulation to the General Telecommunications Law (<i>Reglamento a la Ley General de Telecomunicaciones</i>).</p> <p>Commercial breaks are considered national when they have been produced and edited in Costa Rica. Commercial breaks are also considered national when they are produced in any of the countries of the Central America area with which there is reciprocity in the matter.</p> <p>Radio, television and cinema programs must observe the following rules:</p> <ul style="list-style-type: none">a) If the commercials consist of jingles recorded abroad, a lump sum must be paid every time the commercial is transmitted.b) Only 30 percent of the commercials projected per day on each
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	<p>television station or cinema may originate from outside of Costa Rica.</p> <ul style="list-style-type: none">c) Importation of commercials from outside the Central American region must pay a tax of 100 percent of its value.d) The number of radio programs and radio soap operas recorded abroad may not exceed 50 percent of the total number aired per radio station per day.e) The number of programs filmed or videotaped abroad may not exceed 60 percent of the total number of programs projected per day. <p>A person who hires or employs foreign artists shall hire the same number of Costa Rican artists for the same show unless the union representing the majority of the artists indicates that there are not enough Costa Rican artists to be hired.</p>
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20. Sector:	Commercialization of Alcoholic Beverages
Obligations Concerned:	Market Access (Article 10.4)
Level of Government:	Central
Measures:	Law No. 9047 of 25 June 2012- Law of Regulation and Commercialization for Beverages with Alcoholic Content (<i>Ley de Regulación y Comercialización de bebidas con contenido alcohólico</i>) - Articles 2, 3, 4, 5, 8 and 9.
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Licenses are required for retail commercialization of alcoholic beverages by natural and juridical persons. The licenses shall be granted by the municipality where the business is placed. Licenses are classified in 5 classes (A, B, C, D and E)⁷ and shall be valid for 5 years, automatically extendable for equal periods, and cannot be sold, exchanged, leased, transferred, passed on, alienated or negotiated in any way.</p> <p>Licenses shall be granted subject to the following criteria:</p> <ul style="list-style-type: none"> (a) the provisions of the relevant urban plan (<i>plan regulador</i>) or, in its place, other norm in force; (b) the provisions on the use of land; (c) convenience, rationality, proportionality, reasonability, superior interest of minors, social risk and balanced development of the canton (<i>cantón</i>), as well as respect of freedom of commerce and the right to health; for this purpose, the municipalities may get the collaboration of the Ministry of Health and the Institute of Alcoholism and Drug-Dependency; and (d) in case of class A and B licenses, only one license may be granted for a maximum of three hundred (300) residents. <p>Class A, B and C licenses cannot be granted to businesses located in zones established for residential use, or in accordance with what is established by the urban plan (<i>plan regulador</i>) or by other related</p>

⁷ The definitions of the classes of licenses are described in article 9 of Law No.9074- *Ley de Regulación y Comercialización de bebidas con contenido alcohólico*. For transparency, the following is a short description of the type of activities and businesses that each licenses include:

- a) License A: businesses where alcoholic beverages are commercialized, but cannot be consumed on premises.
- b) License B: businesses where alcoholic beverages are commercialized and can be consumed on premises, such as *cantinas*, bars, taverns, ballrooms, discos, nightclubs and cabarets.
- c) License C: businesses where alcoholic beverages are commercialized and can be consumed on premises with food.
- d) License D: minimarkets and supermarkets.
- e) License E: activities and enterprises declared of touristic interest by the Costa Rican Institute of Tourism (ICT)

	<p>regulations in force. For granting class A and B licenses, businesses must be located at least 400 meters away from any public or private education centers, child nutrition centers, premises where religious activities are conducted and have permission to operate, care centers for the elderly people, hospitals, clinics or a basic integral health care centre (<i>Equipo Básico de Atención Integral en Salud - Ebais</i>). In the case of a class C license, the minimum distance abovementioned shall be at least 100 meters.</p>
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