

Annex I

SCHEDULE OF PANAMA

EXPLANATORY NOTES

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

- (a) Article 9.3 (National Treatment) or 10.2 (National Treatment);
- (b) Article 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 reservation sets out the following elements:

- (a) **Sector** refers to the sector for which the entry is made;
- (b) **Sub-Sector** refers to the specific sector in which the entry is made;
- (c) **Obligations Concerned** specifies the obligations referred to in paragraph 1 that, pursuant Articles 9.13 (Non-Conforming Measures) and 10.6 (Non-Conforming Measures), do not apply to the non-conforming aspects of the law, regulation, or other measure;
- (d) **Measure** identifies a law, regulation or other measure for which the entry is made. A measure cited in the **Measure** element:
 - i. means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and
 - ii. includes a subordinate measure adopted or maintained under the authority of and consistent with the measure; and
- (e) **Description** provides an overview of the measures.

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 articles 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 law, regulation or other measure identified in the Measures element of that entry.

5. Where Panama maintains a measure that requires 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 reservation for that measure taken with respect to Article 10.2 (National Treatment), 10.3 (Most-Favored-Nation) or 10.5 (Local Presence) operates as a reservation with respect to Article 9.3 (National Treatment), 9.4 (Most-Favored-Nation) or 9.9 (Performance Requirements) to the extent of that measure.

6. For the purposes of this Agreement, Panama understands that:

fishing and related activities in Panamanian jurisdictional waters shall not be considered service and therefore need not be listed in Annexes I and II with respect to the obligations of Chapter 10 (Cross-Border Trade in Services).

1. Sector:	Distribution Services
Sub-sector:	Retail Sales
Obligations Concerned:	National Treatment (Article 9.3) Senior Management and Boards of Directors (Article 9.10)
Level of Government	Central
Measures:	Article 293 of the Political Constitution of the Republic of Panama Article 5 and 10 of Law No. 5 of January 11, 2007 Article 12 of Executive Decree 26 of July 12, 2007
Description:	<p><u>Investment</u></p> <p>1. Only the following persons may own a retail business in Panama:</p> <ul style="list-style-type: none"> (a) a Panamanian national by birth; (b) a natural person who, on the date of entry into force of the 1972 Constitution, were naturalized and married to a Panamanian national or have children with a Panamanian national; (c) Panamanians by naturalization who are not covered by the description under (b), after 3 years of the date on which they have obtained their naturalization letter; (d) Panamanian juridical persons or juridical persons organized under the law of a foreign country and foreign natural persons who on the date of entry into force of the 1972 Constitution owned a retail business in Panama according to the domestic law; and (e) a juridical person, whether organized under the domestic law of Panama or any other country, if ownership of that person is held by a natural person described in subparagraph (a), (b), (c) or (d), as set out in paragraph 5 of Article 293 of the 1972 Constitution. <p>2. However, a foreign national not authorized to own a retail business may participate in those companies that sell products manufactured by those companies.</p> <p>3. Senior managers and directors of a retail business must meet the same nationality requirements as owners of a retail business.</p>

2. Sector:	All Sectors
Sub-sector:	
Obligations Concerned:	National Treatment (Article 9.3)
Level of Government:	Central
Measures:	Articles 290 and 291 of the Political Constitution of the Republic of Panama
Description:	<p><u>Investment</u></p> <p>1. A foreign government, foreign official or foreign state enterprise may not own real property in Panama, except property used for an embassy.</p> <p>2. A foreign national, or enterprise organized under the laws of Panama owned entirely or partially by foreign nationals, may not own real property within 10 kilometers of Panama's borders.</p>

3. Sector:	Public Utilities Service
Sub-sector:	
Obligations Concerned:	National Treatment (Article 9.3)
Level of Government:	Central
Measures:	Article 285 of the Political Constitution of the Republic of Panama
Description:	<p><u>Investment</u></p> <p>The majority of the capital of a private enterprise engaged in public utilities that operate in Panama shall be owned by a Panamanian person, except where provided by domestic law.</p>

4. Sector:	All Sectors
Sub-sector:	
Obligations Concerned:	Senior Management and Boards of Directors (Article 9.10) National Treatment (Article 10.2)
Level of Government:	Central
Measures:	Article 322 of the Political Constitution of the Republic of Panama
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>1. Preference is given to a Panamanian national over a foreign national for contractual positions in the Panama Canal Authority. A foreign national may be hired instead of a Panamanian national, provided that the position is difficult to fill and that all channels for hiring a qualified Panamanian national have been exhausted and that it is authorized by the Canal Authority Administrator. If the only applicants for a position with the Panama Canal Authority are foreign nationals, preference is given to a foreign national with a Panamanian spouse or a foreign national who has lived in Panama for 10 consecutive years.</p> <p>2. Only a Panamanian national can be a director of the Panama Canal Authority.</p>

5. Sector:	Artistic Activities
Sub-sector:	Other Entertainment Services (Musicians and Artists)
Obligations Concerned:	National Treatment (Article 10.2)
Level of Government:	Central
Measures:	Article 1 of Law No. 10 of January 8, 1974 Article 1 and 2 of Executive Decree No.38 of August 12, 1985
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>1. An employer who hires a foreign orchestra or musical group is required to hire a Panamanian orchestra or musical group to perform at each one of the locations where the foreign orchestra or musical group performs. This obligation exists for the duration of the foreign orchestra or musical group's contract. This Panamanian orchestra or musical group must receive at least the amount of USD 1,000.00 per performance. Each member of the group must receive no less than USD 60.00 of this amount</p> <p>2. A Panamanian artist performing alongside a foreign artist must be hired on the same terms and with the same professional considerations. This applies but is not limited to promotions, publicity and advertising related to the event, regardless of the media used.</p> <p>3. The hiring of a foreign artist for promotions, or the charitable donation or exchange of the services or works of a foreign artist, will only be approved if it does not adversely affect or displace a Panamanian artist. In any case, the hiring must be submitted for evaluation by an expert to determine the value of the service and work provided for the purpose of paying union fees and dues.</p>

6. Sector:	Communications
Sub-sector:	Services of Transmission of Radio and Television Programs
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Most-Favored-Nation Treatment (Article 9.4) Senior Management and Boards of Directors (Article 9.10)
Level of Government:	Central
Measures:	Article 285 of the Political Constitution of the Republic of Panama Articles 14 and 25 of Law No. 24 of June 30, 1999 Articles 152 and 161 of Executive Decree No. 189 of August 13, 1999
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <ol style="list-style-type: none"> 1. A concession to operate a public radio or public television station in Panama may be granted to a natural person or to an enterprise. In the case of a natural person, the concessionaire must be a Panamanian national. In the case of an enterprise, at least 65% of the shares of the concessionaire must be owned by a Panamanian national. 2. Each senior manager and director of an enterprise operating a public radio or public television station must be a Panamanian national. 3. Under no circumstances may a foreign government or a foreign state enterprise supply, by itself or through a third party, public radio or public television services or hold a controlling interest, directly or indirectly, in an enterprise that supplies those services. 4. A concessionaire of a public radio or public television service may not broadcast an advertisement originating within Panama containing an announcement made by an announcer who does not have a license issued by the National Authority of Public Services. That may only be obtained by a Panamanian national or a national of a country that has granted reciprocal rights to Panamanian nationals.

7. Sector:	Communications
Sub-sector:	Telecommunication Services
Obligations Concerned:	National Treatment (Article 9.3)
Level of Government:	Central
Measures:	Article 21 of Law No. 31 of February 8, 1996
Description:	<p><u>Investment</u></p> <p>An enterprise that is directly or indirectly owned or controlled by a foreign government or in which a foreign government is a partner may not supply telecommunications services in the territory of Panama.</p>

8. Sector:	Education
Sub-sector:	
Obligations Concerned:	National Treatment (Article 10.2)
Level of Government:	Central
Measures:	Article 100 of the Political Constitution of the Republic of Panama
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only a Panamanian national may teach Panamanian history and civic education in the territory of Panama.</p>

9. Sector:	Electrical Energy
Sub-sector:	
Obligations Concerned:	Senior Management and Boards of Directors (Article 9.10) Market Access (Article 10.4)
Level of Government:	Central
Measures:	Articles 32, 45 and 46 of Law No. 6 of February 3, 1997
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <ol style="list-style-type: none"> 1. Electric power transmission services in the territory of Panama may be supplied only by the Government of Panama. 2. Electric power distribution services in the territory of Panama will be supplied by 3 enterprises for a period of 15 years, under concessions granted by the National Authority of Public Services. 3. It is required to be Panamanian national to be a member of the Board of Directors of an electricity company, in which 51% or more of the shares of these companies belong to the State.

10. Sector:	Crude Petroleum, Hydrocarbons and Natural Gas
Sub-sector:	
Obligations Concerned:	Performance Requirements (Article 9.9) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Articles 21, 25, 26 and 71 of Law No. 8 of June 16, 1987
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>1. If a contractor is a foreign juridical person, it must establish itself or open a branch in the Republic of Panama.</p> <p>2. A contractor or subcontractor may acquire a good or contract service from abroad if:</p> <ul style="list-style-type: none"> (a) that good or service is not available in Panama; or (b) the good or service available in Panama does not fulfill the normal specifications required by the industry, as determined by the National Directorate of Hydrocarbons of the Ministry of Commerce and Industries.

11. Sector:	Operation of Mines
Sub-sector:	Extraction of Non-metallic, Metallic (Except Precious Minerals) Minerals, Precious Alluvial Minerals, Precious Non-Alluvial Minerals, Fuel Minerals (Except Hydrocarbons) and Reserve Minerals and Related Services
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Performance Requirements (Article 9.9)
Level of Government:	Central
Measures	Articles 4, 5, 130, 131, 132 and 135 of Decree Law No. 23 of August 22, 1963 Article 11 of Law No. 3 of January 28, 1988 Article 1 of Decree No. 30 of February, 2011
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>1. A foreign government, foreign state enterprise, or juridical person in which there is direct or indirect participation of any foreign government, may not:</p> <ul style="list-style-type: none"> (a) obtain a mining concession; (b) directly or indirectly, be a contractor for mining operations; (c) operate or benefit from a mining concession; or (d) acquire, possess or retain, for use in mining operations in Panama, equipment or material without previous and special authorization issued through a Decree of the President of the Republic signed by all members of Cabinet. <p>2. Panama will give preference to Panamanian nationals for positions in all phases of mining operations, in accordance with the Labor Code.</p> <p>3. The holder of a mining concession and a contractor engaged in mining operations may employ a foreign national as an executive, scientific or technical expertise if:</p> <ul style="list-style-type: none"> (a) employing the foreign national is necessary for the efficient development of the mining operations; and (b) foreign nationals constitute less than 25% of the number of persons employed, and the salaries that foreign nationals receive amount to less than 25% of total salaries:

	<ul style="list-style-type: none">(i) for the holder of a mining concession when engaged in mining operations covered by extraction, benefit or transport concessions, and(ii) for a contractor when carrying out mining operations. <p>4. The Directorate General of Mining Resources will establish the terms and conditions under which foreign persons may be employed in the mining industry.</p> <p>5. All concessionaries, except those who only possess concessions for exploration or mining of Class A building, should establish related to its mining operations for the benefit of unskilled and semi-skilled workers programs; and provide cost, education and the training Panamanian employees supervised by the National Department of Mineral Resources.</p>
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12. Sector:	Exploration and Exploitation of Non-Metallic Minerals Used as Construction, Ceramic, Refractory and Metallurgical Materials
Sub-sector:	
Obligations Concerned:	National Treatment (Article 9.3)
Level of Government:	Central
Measures:	Article 3 of Law No. 109 of October 8, 1973 Article 7 of Law No. 32 of February 9, 1996
Description:	<p><u>Investment</u></p> <p>1. Only a Panamanian national or an enterprise of Panama may obtain, directly or indirectly, a contract for the exploration and exploitation of limestone, sand, quarry stone, tufa, clay, gravel, debris, feldspar, plaster and other non-metallic minerals.</p> <p>2. The following may not obtain, operate or benefit from a contract referred to in paragraph 1, directly or indirectly:</p> <ul style="list-style-type: none"> (a) a foreign government or state enterprise; or (b) a juridical person in which a foreign government has direct or indirect participation, unless the Executive Branch decides otherwise on the request of the interested juridical person.

13. Sector:	Fishing
Sub-sector:	
Obligations Concerned:	National Treatment (Article 9.3) Performance Requirements (Article 9.9)
Level of Government:	Central
Measures:	Article 286 of Law No. 8 (the Fiscal Code of the Republic of Panama) of January 27, 1956 Law No. 20 of August 11, 1994, Articles 5 and 6 of Decree Law No. 17 of July 9, 1959 Article 1 of Decree No. 116 of November 26, 1980 Article 3 of Executive Decree No.124 of November 8, 1990 Administrative Resolution 003 of January 7, 2004 Article 3 of Executive Decree No. 239 of July 20, 2010
Description:	<u>Investment</u> 1. Only a Panamanian national may sell for consumption in Panama fish caught in the territory of Panama. 2. Only a vessel owned by a person of Panama may obtain a license for coastal (manual) fishing. 3. Only a Panamanian-flagged vessel that is at least 75% owned by a person of Panama and that is engaged in international tuna trade within the territory of Panama may obtain a tuna fishing license for a preferential fee. 4. Only a vessel built in Panama may carry out commercial or industrial shrimp fishing activities in the territory of Panama.

14. Sector:	Business Services
Sub-sector:	Private Security Agencies
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Senior Management and Boards of Directors (Article 9.10)
Level of Government:	Central
Measures:	Articles 4 and 10 of Executive Decree No. 21 of January 31, 1992 Article 1 of Executive Decree No. 22 of January 31, 1992
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <ol style="list-style-type: none"> 1. The owner of a security company must be a Panamanian national. 2. In order to be a member of the board of directors, a person must meet the criteria for ownership of a retail business described in this Annex. 3. Only a Panamanian national may hold the position of head of security or security guards in the territory of Panama. Foreign nationals engaged by a security company in the territory of Panama must obtain prior authorization from the Panamanian government.

15. Sector:	Advertising Services
Sub-sector:	
Obligations Concerned:	National Treatment (Article 10.2)
Level of Government:	Central
Measures:	Article 152 of Executive Decree No. 189 of August 13, 1999 Article 1 of Executive Decree No. 273 of November 17, 1999, amended by Article 1 of Executive Decree No. 641 of December 27, 2006
Description:	<u>Cross-Border Trade in Services</u> The use of advertising announcements for television and cinematography produced in foreign countries whose voices band has been dubbed by Panamanians possessing an announcer's license, is only permitted if a fee is paid for the period of transmission, projection and use.

16. Sector:	Maritime Transport
Sub-sector:	Pilotage
Obligations Concerned:	National Treatment (Article 10.2)
Level of Government:	Central
Measures:	Article 44 of the Resolution J.D No.020-2003
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only Panamanian nationals may be apprentice pilots, which is a prerequisite for being licensed as a canal or port pilot.</p>

17. Sector:	Maritime Transport and Maritime Auxiliary Services
Sub-sector:	
Obligations Concerned:	National Treatment (Article 10.2) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Articles 4, 15 and 18 of Decree Law No. 8 of February 26, 1998 Article 43 of Law 56 of 2008
Description:	<p><u>Cross-Border Trade in Services</u></p> <ol style="list-style-type: none"> 1. When engaging contractual service suppliers, the owner of a Panamanian-registered vessel dedicated to international service must give preference to a Panamanian national, spouse of a Panamanian national and a parent of a Panamanian child residing in Panama. 2. Associations of shipbuilders and Panamanian shipping companies will grant scholarships and facilities for training or qualification courses to a Panamanian national, a foreign spouse of a Panamanian national or a parent of a Panamanian child. 3. A foreign manning company operating in Panama must designate a Panamanian national residing in Panama registered with the Mercantile Registry to act as a representative of the company in all judicial, extra-judicial and administrative matters. 4. Placement agencies established in Panama should preferably hire Panamanian crewmembers or foreigners married to nationals. 5. The crew of the Panamanian maritime auxiliary services vessels that operates in the territorial waters must have a percentage not less than 90% of Panamanian nationals.

18. Sector:	Transport Services
Sub-sector:	Air Transport Services
Obligations Concerned:	National Treatment (Article 9.3)
Level of Government:	Central
Measures:	Article 79 of Law No. 21 of January 29, 2003, Regulated by Executive Decree No. 542 of November 24, 2005
Description:	<p><u>Investment</u></p> <ol style="list-style-type: none"> 1. Only a person of Panama with a base of operations in Panama may hold a certificate of exploitation to supply air transportation services in Panama. 2. To obtain a certificate referred to in paragraph 1, an enterprise of Panama must also establish before the Civil Aviation Authority that the substantial property and effective control of the enterprise is owned by a Panamanian national. For example, at least 51% of the subscribed and paid-in capital of a society is represented with nominative stocks owned by a Panamanian national. 3. For domestic transport, the percentage referred to in paragraph 2 is a minimum of 60%. 4. During the validity of a certificate referred to in paragraph 1 the title holder must maintain the minimum percentage of ownership by a Panamanian national set out in paragraph 2 or 3.

19. Sector:	Specialty Air Services
Sub-sector:	
Obligations Concerned:	National Treatment (Article 10.2)
Level of Government:	Central
Measures:	Article 43 and 45 of Law No. 21 of January 29, 2003 amended by Article 13 of the Law No. 89 of December 1, 2010. Articles 2 and 3 of Law 89 of December 1, 2010
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>1. Panamanian airlines must hire Panamanian pilots, however domestic airlines that meet the conditions set out in Article 2 of Law 89 of 2010 may maintain foreign pilots as technician, not to exceed 15% applied only to the total number of its workers in the Republic of Panama.</p> <p>2. Only Panamanian nationals may exercise functions ascribed to the aeronautical technical personnel and technical crew. If there are not enough Panamanian nationals to provide such services, the Ministry of Labor and Workforce Development may authorize the temporary exercise by foreign personnel up to 15% of the total number of airline workers as required.</p>

20. Sector:	Publishing
Sub-sector:	
Obligations Concerned:	National Treatment (Article 9.3) Senior Management and Boards of Directors (Article 9.10)
Level of Government:	Central
Measures:	Article 9 of Law No. 67 of September 19, 1978
Description:	<p><u>Investment</u></p> <p>1. The following applies to an enterprise producing a print publication that is part of the Panamanian communications mass media, such as a newspaper or magazine:</p> <ul style="list-style-type: none"> (a) a Panamanian national must directly or indirectly hold 100% of the ownership of the enterprise; and (b) the managers of the enterprise, including its publishers, editors-in-chief, deputy directors and assistant managers, must be Panamanian nationals.

21. Sector:	Business Services
Sub-sector:	Professional Services – Legal Services
Obligations Concerned:	National Treatment (Articles 9.3 and 10.2) Senior Management and Boards of Directors (Article 9.10)
Level of Government:	Central
Measures:	Articles 3 and 16 of Law No. 9 of April 18, 1984
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <ol style="list-style-type: none"> 1. Only a Panamanian national holding a certificate of qualification issued by the Supreme Court may practice law in Panama. 2. Law partnerships may be established only by lawyers qualified to practice law in Panama. 3. Notwithstanding paragraphs 1 and 2, if it is permitted by the express terms of an international agreement, a lawyer who is a foreign national may provide advice on international law and the law of the jurisdiction in which that lawyer is licensed to practice. However, that foreign lawyer may not provide representation in the territory of Panama before a body listed in subparagraph 4(a). 4. For purposes of this Reservation the practice of law in Panama includes: <ol style="list-style-type: none"> (a) judicial representation before a civil, penal, labor, child welfare, electoral, administrative or maritime tribunal; (b) rendering of verbal or written legal advice; (c) drafting of legal documents and contracts; and (d) any other activity that requires a license to practice law in Panama.

22. Sector:	Business Services
Sub-sector:	Professional Services
Obligations Concerned:	National Treatment (Article 10.2) Most-Favored Nation Treatment (Article 10.3) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	<p>Articles 4, 7, 9 and 10 of Law No. 57 of September 1978, authorized public accountant</p> <p>Article 3 of Law No. 7 of April 14, 1981, economist</p> <p>Article 32, 33 and 34 of the Resolution No. 168 of July 25, 1988, approving the Regulations of the Technical Economic Council</p> <p>Articles 9 through 11 of Law No.67 of September 19, 1978, journalism profession</p> <p>Article 4 of the Law No. 21 of June 16, 2005, public relations specialist</p> <p>Article 5 of the Law No. 55 of December 3, 2002, regulating psychology</p> <p>Article 55 of the Law No. 51 of 28 December 2005 professionals and health technicians</p> <p>Articles 2 and 3 of Law No. 1 of January 3, 1996, sociology</p> <p>Article 3 of Law No. 17 of July 23, 1981, social worker</p> <p>Article 3 of Law No. 20 of October 9, 1984, regulating the library sciences profession</p> <p>Article 2141 of Law No. 59 of July 31, 1998, amending the name of Title XVII and Articles 2140, 2141 and 2142 of the Administrative Code, and repealing Article 13 of Law No. 33 of 1984 on authorized public translators</p> <p>Book VIII, adopted by the Resolution J.D. No. 012 of February 20, 2009 and Resolution J.D. No. 046 of November 25, 2010 on the licensing for aeronautic personnel not belonging to the crew</p> <p>Article 44 of Decree Law No. 1 of 2008 on the licensing of customs brokers</p>

	<p>Articles 3 and 4 of Executive Order No. 6 of July 8, 1999, real estate agent</p> <p>Article 198 of Law No. 23 of July 15, 1997, approving the WTO Agreement; Panama's Accession Protocol to this Agreement, including its annexes and schedules of commitments; adjusting internal legislation to international standards; and enacting other provisions including on stockbrokers</p> <p>Articles 2, 3 and 4 of Law No. 22 of January 30, 1961, related to professional agricultural services</p> <p>Articles 4 and 16 of Cabinet Decree No. 362 of November 26, 1969, nutritionist and dietician</p> <p>Article 5 of Law No. 34 of October 9, 1980, phono-audiologist, speech and language therapist, and audiometrician or audiology technician</p> <p>Articles 1 and 8 of Law No. 3 of January 11, 1983, veterinary medicine</p> <p>Article 1 of Cabinet Decree No. 196 of June 24, 1970, establishing requirements to obtain a medical license to freely practice medicine and other related professions</p> <p>Resolution No. 1 of January 26, 1987, by which the Technical Health Board classifies acupuncture as a technique that may only be practiced by medical and dental professionals in Panama</p> <p>Articles 3 and 4 of Decree No. 32 of February 17, 1975, medical assistant</p> <p>Article 1 of Law No. 22 of February 9, 1956, odontology</p> <p>Article 10 of Ministerial Decree No. 16 of January 22, 1969, regulating medical interns, residents, specialists and odontologists and creating the positions of General Practitioner and Medical Consultant</p> <p>Article 3 of Resolution No. 1 of March 14, 1983, approving the Regulations for Odontological Specializations</p> <p>Article 5 and 6 of Law No. 13 of May 15, 2006 on the exercise of the profession of dental care technician</p> <p>Articles 37, 108, 197 and 198 of Law No. 66 of November 10, 1947, approving the Health Code</p> <p>Article 9 of Law No. 1 of January 6, 1954, regarding the profession of licensed nurses, giving stability to this profession and regulating the</p>
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	<p>pension for retired nurses</p> <p>Article 3 of Law No. 74 of September 19, 1978, clinical laboratory worker, amended by Article 1 of Law No. 8 of April 25, 1983</p> <p>Article 4 of Law No. 48 of November 22, 1984, assistants and support personnel working in clinical laboratories run by the Ministry of Health and the Social Security Fund and Foundation and regulating this profession</p> <p>Articles 7, 13 and 15 of Law No. 47 of November 22, 1984, physiotherapy and/or kinesthesiology</p> <p>Article 2 of Decree Law No. 8 of April 20, 1967, chiropractor</p> <p>Article 6 of Law No. 42 of October 29, 1980, medical radiology technician, amended by Article 5 of Law No. 53 of September 18, 2009</p> <p>Article 6 of Law No. 13 of August 23, 1984, specialists in medical records and health statistics who are employed by public health agencies, regulating their pay scale, and establishing other provisions (assistants to medical records and health statistics specialists, medical record technicians and health statistic technicians)</p> <p>Resolution No. 1 of April 15, 1985, orthopedic and nuclear medicine technicians</p> <p>Resolution No. 2 of June 1, 1987, neurophysiology technician, encephalographic technician, and electro-neurography or evoked potentials technician</p> <p>Article 6 of Law No. 36 of August 2, 2010, which recognizes the profession of occupational therapy</p> <p>Resolution No. 1 of February 8, 1988, occupational health technician</p> <p>Article 2 of Resolution No. 10 of March 24, 1992, respiratory therapy technician or respiratory inhalotherapy technician</p> <p>Article 3 of Resolution No. 19 of November 12, 1991, prosthetic-orthotic technician</p> <p>Article 2 of Resolution No. 7 of December 15, 1992, regulating the practice of histology and the professions of histology assistant and cytology assistant</p> <p>Article 5, 6 and 7 of Law No. 27 of May 22, 2009, which regulates the profession of histology</p>
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	<p>Article 2 of Resolution No. 50 of September 14, 1993, radiological health technician</p> <p>Article 2 of Resolution No. 1 of January 21, 1994, cardiovascular perfusion technician</p> <p>Article 2 of Resolution No. 2 of January 25, 1994, technician and assistant technician in medical information technology</p> <p>Article 2 of Resolution No. 4 of June 10, 1996, assistant technician in medical radiology</p> <p>Article 3 of Resolution No. 5 of June 10, 1996, by which the Ministry of Health recognizes the profession of emergency medical technician</p> <p>Article 3 of Resolution No. 1 of May 25, 1998, specialist in emergency surgery</p> <p>Article 3 of Resolution No. 2 of May 25, 1998, technician in human genetics</p> <p>Article 35 of Law No. 24 of January 29, 1963, creating the National Pharmaceutical Board and regulating pharmaceutical establishments</p> <p>Articles 11 and 20 of Law No. 45 of August 7, 2001, chemist</p> <p>Article 5 of Law No. 4 of January 23, 1956, creating the Technical Commission and regulating the professions of barber and cosmetologist, amended by Article 2 of Law No. 51 of January 31, 1963</p> <p>Articles 4 and 5 of Law No. 15 of January 22, 2003, orthopedic technology and traumatology</p> <p>Article 5 of Resolution No. 3 of August 26, 2004, medical physics</p> <p>Article 17 of Law No. 19 of June 5, 2007, water lifesaving</p> <p>Article 3 of Law No. 49 of December 5, 2007, community developer</p> <p>Article 5 of Law No. 31 of June 3, 2008, emergency medical technicians and professionals</p> <p>Article 3 of Law No. 28 of May 22, 2008, early stimulation and family orientation</p> <p>Article 5 of Law No. 53 of August 5, 2008, respiratory therapist</p>
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	<p>Article 5 of Law No. 17 of February 12, 2009, biological Sciences</p> <p>Article 5 of Law No. 52 of September 18, 2009, technical degree in gerontology</p> <p>Article 5 of Law No. 51 of July 14, 2003, profession of nuclear medicine technologist</p> <p>Article 89 of Executive Decree No. 82, 2008, on tourist guides</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <ol style="list-style-type: none"> 1. A person practicing a profession listed in the Measures of this Reservation must be a Panamanian national. 2. Reciprocity or residence requirement applies as appropriate. 3. Foreigners wishing to engage in providing services of tourist guides, with the exception of specialized tourist services, should have more than 5 years of residence in the country.

23. Sector:	Business Services
Sub-sector:	Professional Services – Architects and Engineers
Obligations Concerned:	National Treatment (Article 10.2) Most-Favored-Nation Treatment (Article 10.3) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Articles 1, 2, 3, 4 and 24 of Law No.15 of January 26, 1959 Article 4 of Law No. 53 of February 4, 1963 Articles 1 and 3 of Decree 257 of September 3, 1965 Article 1 of Law No. 21 of June 20, 2007
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>1. Only a holder of a certificate of qualification issued by the Technical Board of Engineers and Architects may practice as an engineer or architect. The Technical Board may grant such a certificate to:</p> <ul style="list-style-type: none"> (a) a Panamanian national; (b) a foreign national who is married to a Panamanian national or who is the parent of a child who is a Panamanian national; or (c) a foreign national licensed to practice in a jurisdiction that allows Panamanian nationals to practice as engineers or architects under the same conditions. <p>2. The Technical Board may also authorize an enterprise to contract with an architect or engineer who is a foreign national for up to 12 months if there is no Panamanian qualified to supply the service in question. In that case, the enterprise must employ a qualified Panamanian national during the period of the contract who will replace the foreign national when the contract ends.</p> <p>3. Only an enterprise registered with the Technical Board may supply engineering or architectural services in Panama. To register:</p> <ul style="list-style-type: none"> (a) the enterprise must have a corporate domicile in Panama, unless an international agreement provides otherwise; and (b) the persons employed by the enterprise who are responsible for supplying the services must be qualified to perform those services in Panama.

24. Sector:	Communication Services
Sub-sector:	Telecommunication Services
Obligations Concerned:	Market Access (Article 10.4)
Level of Government:	Central
Measures:	<p>Law No. 17 of July 9, 1991 Law No. 5 of February 9, 1995 Law No. 31 of February 8, 1996 Executive Decree No. 73 of April 9, 1997 Executive Decree No. 21 of 1996 Regulation JD-025 of December 12, 1996 Regulation JD-080 of April 10, 1997 Concession Contract No. 30-A of February 5, 1996 between the State and BSC (Bell South Panama, S.A.) Concession Contract No. 309 of October 24, 1997 between the State and Cable Wireless Panama, S.A Executive Decree No. 58 of May 12, 2008 Concession Contract No. 10-2008 of May 27, 2008 between the State and Digicel Panama, S.A. Concession Contract No. 11-2008 of May 27, 2008 between the State and Claro Panama, S.A.</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Mobile services are provided exclusively by four operators who have been granted concessions by the State.</p>

25. Sector:	Communication Services
Sub-sector:	Telecommunication Services
Obligations Concerned:	Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Law No. 31 of February 8, 1996 Executive Decree No.73 of April 9, 1997
Description:	<u>Cross-Border Trade in Services</u> A telecommunication service supplied directly to users in Panama may only be supplied by a person domiciled in Panama.

26. Sector:	Trade Services; Hotel and Restaurant Services
Sub-sector:	Beverage Serving Services for Consumption on the Premises
Obligations Concerned:	Market Access (Article 10.4)
Level of Government:	Central
Measures:	Law No. 55 of July 10, 1973 Law No. 5 of January 11, 2007 Executive Decree No. 26 of July 12, 2007
Description:	<u>Cross-Border Trade in Services</u> A license will not be granted for the operation of a bar in a district in Panama when the number of existing bars in that district exceeds the proportion of one per one thousand inhabitants, according to the latest official population census.

27. Sector:	Recreational Services
Sub-sector:	Gambling and Betting Services
Obligations Concerned:	Market Access (Article 10.4)
Level of Government:	Central
Measures:	Article 297 of the 1972 Political Constitution of the Republic of Panama
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only the Government of Panama may operate games of luck and chance or other gambling activities in Panama.</p>

28. Sector:	Communication Services
Sub-sector:	Postal Services
Obligations Concerned:	Market Access (Article 10.4)
Level of Government:	Central
Measures:	Article 301 of the Fiscal Code of the Republic of Panama approved by means of Law No.8 of January 27, 1956, modified by Law No. 20 of August 11, 1994
Description:	<u>Cross-Border Trade in Services</u> Only the Government of Panama may operate postal services in Panama.

29. Sector:	Ports and Airports
Sub-sector:	
Obligations Concerned:	Market Access (Article 10.4) Local Presence (Article 10.5)
Level of Government:	Central
Measures:	Decree Law No. 7 of February 10, 1998 Law No. 23 of January 29, 2003
Description:	<u>Cross-Border Trade in Services</u> The executive branch of the Government of Panama has the discretion to determine the number of concessions for national ports and airports and may require the concessionaire to appoint a legal representative in Panama.