

LIST OF COMMITMENTS ON ESTABLISHMENT¹
(referred to in Article [8])

COSTA RICA

1. The list of commitments below indicate the economic activities inscribed pursuant to Article [8] of the Agreement and, by means of reservations, the market access and national treatment reservations that apply to establishments and investors of the EU Party in those activities. The list is composed of the following elements:

- (a) A first column indicating the economic activities in which the commitment is assumed by the Party, and the scope to which the reservations apply.
- (b) A second column describing the applicable reservations.

2. For the purpose of this list, the term **none** indicates economic activities where there are no reservations to national treatment or market access. The term **unbound** indicates that no national treatment or market access commitments have been made.

For greater certainty, the absence of specific reservations in a given economic activity is without prejudice to horizontal reservations that apply.

3. Economic activities not mentioned in the list below are not committed.

4. In identifying individual economic activities:

- (a) ISIC rev 3.1 means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 4, *ISIC REV 3.1*, 2002.
- (b) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC prov*, 1991.
- (c) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC ver 1.0*, 1998.

5. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements (including any concession, permit, register and other authorization) and procedures when they do not constitute a market access or a national treatment reservation within the meaning of Articles [6] and [7] of the Agreement. Those measures (e.g. need to obtain a license, universal service obligations, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, non-discriminatory requirement that certain activities may not be carried out in environmental protected zones or areas of particular historic and artistic interest), even if not listed, apply in any case to investors of the EU Party.

¹ Costa Rica reserves the right to modify, extend or, reduce this offer in whole or in part at any time.

6. In accordance with Article [1(3)] of the Agreement, the list below does not include measures concerning subsidies granted by the Parties.
7. In accordance with Article [6] of the Agreement non-discriminatory requirements as regards the types of legal form of an establishment are not included in the list below.
8. The rights and obligations arising from this list of commitments shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.

Economic activities	Description of reservations
HORIZONTAL RESERVATIONS	
All economic activities listed:	
<p>1. Treatment accorded to subsidiaries of juridical persons of the EC Party constituted in accordance with the Costa Rican legislation and having their registered office, central administration or principal place of business within the territory of Costa Rica is not extended to branches, agencies or representatives offices established in the territory of Costa Rica by a juridical person of the EC Party.</p> <p>Treatment less favorable may be accorded to subsidiaries of a juridical person of the EC Party constituted in accordance with the Costa Rican legislation, which have only their registered office or central administration in the territory of Costa Rica; unless it can be proved that they maintain substantive business operations in the territory of Costa Rica.</p>	
<p>2. 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>	
<p>3. In the maritime-terrestrial zone defined in accordance with the Costa Rican legislation shall not be developed any activity in the public zone. Concessions shall be granted only in the restricted zone, nevertheless concessions shall not be granted to:</p> <ul style="list-style-type: none"> (a) foreigners 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 the country solely by foreigners; and (e) enterprises where more than fifty percent of the capital shares or stocks are owned by foreigners. <p>The entities or its partners that have those concessions shall not transfer quotas or shares to foreigners.</p>	
<p>4. An enterprise under a free zone regime in Costa Rica shall not introduce more than a twenty five percent of its total products sells, or more than fifty percent of its total sells of services to the Costa Rican customs territory. An enterprise under the free zone regime in Costa Rica, that only handle, re-packs or re-distributes merchandise, shall not introduce such products to the Costa Rican customs territory.</p>	
<p>5. Shall not be permanently removed from State ownership any power that may be obtained from public waters within the national territory; deposits of coal, wells and deposits of oil and any other hydrocarbons, as well as any deposits of radioactive minerals existing within the national territory; and wireless services. 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>	

Economic activities	Description of reservations
	<p>6. National railroads, docks, and airports – the latter while in use – may not be sold, leased or encumbered, directly or indirectly, or be otherwise removed from State ownership and control. The railroads, railways, docks and international airports, new or existing, as well as the services there supplied, shall only be granted in concession through the stipulated proceedings in the national legislation. In the case of Limón, Moín, Caldera and Puntarenas docks, shall only be given in concession the new works or the additions that are being done, not the existing ones. All enterprises holding railroads, docks or airports concessions must be constituted under Costa Rican legislation and domiciled in Costa Rica.</p>
	<p>7. Economic activities considered as public utilities or public services² may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private.</p> <p>To be a public service supplier the respective concession or permit shall be obtained from the competent public entity. Are excluded from this obligation the institutions and public enterprises that, as a legal mandate, supply any of these services. The suppliers shall not have any monopolistic right over a public service that they exploit and shall be subject to the limitations and changes imposed by the legislation. New concessions, permits or authorizations shall be granted as long as the demand of services justifies it, or that those services could be offered in better conditions for the user. Priority shall be given to the concessionaires that are supplying the service. State monopolies created by law or granted in administration, are excluded from the above mentioned.</p>
	<p>8. 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. Residency requirement applies. To be incorporated in some of the professional associations in Costa Rica, the foreign professional services suppliers shall demonstrate that in their country of origin, where they are authorized to practice their profession, the Costa Rican professional services suppliers can practice the profession under like circumstances. In some cases, the hiring of foreign professional services suppliers on behalf of State or private institutions can only happen when there are no Costa Rican professional services suppliers willing to supply the service in the required conditions, or under the declaration of <i>inopia</i>.</p>

² Public services include: electric energy supply, including generation, transmission, distribution and commercialization; supply of sewage and water services which includes drinkable water, collection, treatment and evacuation of sewage, residual and pluvial waters, as well as the installation, operation, and maintenance of hydrant services; fuel supply derivatives from hydrocarbons, including petroleum, asphalts, gas and naphthas, destined to supply national demand in distribution stations, as well as the derivatives from petroleum, asphalts, gas and naphthas destined to the final consumer; irrigation and drainage; remunerated public transport of persons, except for the air transportation; maritime and air services in national ports; freight transport by railroad; recollection and treatment of solid and industrial wastes; social services of postal communication; and any other services that, given their importance for the sustainable development of the country, are qualified and regulated as such by the Legislative Assembly.

Economic activities	Description of reservations
<p>9. Costa Rica reserves the right to adopt or maintain any measure:</p> <p>(a) that grants rights or preferences to social or economic groups under disadvantage or to native groups; and</p> <p>(b) with respect to the provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, child care, public sewage services, and water supply services.</p>	
<p>10. In economic activities included in this list, any market access and national treatment limitations maintained at local governments' level (municipalities) are consolidated; nevertheless such limitations are not listed.</p> <p>These limitations shall not be construed as to nullifying the commitments taken by Costa Rica in the Chapter of Government Procurement of this Agreement.</p>	
<p>11. The senior management, boards of directors and other related positions within public institutions and public enterprises are reserved to Costa Rican nationals.</p>	
<p>12. Market access for non-services is unbound. Any more favourable commitment on market access for non-services sectors within the meaning of Article [x] [on market access in the establishment chapter] resulting from an international agreement shall constitute a commitment under this agreement as of the date of entry into force of that agreement.</p>	
<p>SPECIFIC RESERVATIONS</p>	
<p><u>1. AGRICULTURE, HUNTING, FORESTRY</u></p>	
<p>A. Agriculture, hunting (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding services</p>	<p>Non resident foreigners can only practice hunting of certain pigeon species in the terms and conditions established in the respective legislation.</p> <p>For non resident foreigners different timeframes (up to six months) and fees apply for hunting and scientific or cultural collection licenses.</p>
<p>B. Forestry and logging (ISIC rev 3.1: 020) excluding services</p>	<p>For non resident foreigners different timeframes (up to six months) and fees apply for scientific or cultural collection licenses.</p>
<p><u>2. FISHING AND AQUACULTURE</u> (ISIC rev 3.1: 0501, 0502) excluding services</p>	<p>The Costa Rican State exercises complete and exclusive sovereignty over its territorial waters within a distance of twelve miles measured from the low- tide mark along its shores, over its continental shelf, and its insular undersea base, in accordance with principles of international law. It also exercises special jurisdiction over the seas adjacent to its territory within a distance of two hundred miles measured from the same mark, in order to</p>

Economic activities	Description of reservations
	<p>protect, preserve and exploit exclusively all the natural resources and wealth existing in the waters, soil, and subsoil of those zones, in accordance with those principles.</p> <p>The Costa Rican State shall exercise exclusive domain and jurisdiction over the marine resources and the natural riches existing in the continental waters, the territorial sea, the exclusive economic zone and the adjacent areas to the later, over those that exist or may come to existence national jurisdiction, in accordance with national legislation and international treaties.</p> <p>Fishing is reserved to Costa Rican natural and juridical persons, and to national flags and registered vessels.</p> <p>Only tuna fencing fishing is allowed to foreign vessels within the exclusive economic zone except in the territorial sea. Tuna fencing fishing by foreign vessels are subject to a license per trip, annual registry, economic needs tests (main criteria: development needs and sustainability of the sector), different timeframes and fees.</p> <p>Authorizations for the unloading of fishing products by foreign vessels are subject to economic needs tests (main criteria: supply and demand and protection of consumer and national fishing sector).</p> <p>Preferential treatment is granted to national fishing fleet concerning taxation and selling of fuel.</p>
<p><u>3. MINING AND QUARRYING</u>³ excluding services</p> <p>The deposits of coal, natural gas, oil or any hydrocarbon; radioactive minerals, thermal sources, geothermic and ocean thermal energy sources; hydroelectric energy sources; the sources and mineral waters and underground and surface waters are reserved to the State and may be exploited only by the State, 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>The natural resources in the soil, subsoil and in the maritime waters adjacent to the national territory, along an area up to two hundred miles from the low tide line along the coast, may only be exploited in accordance with the <i>Constitución Política de la República de Costa Rica</i>.</p> <p>A non-discriminatory indefinite moratorium for strip or open mining activities applies.</p>	

³ The horizontal limitation on public utilities applies.

Economic activities	Description of reservations
A. Mining of coal and lignite; extraction of peat (ISIC rev 3.1: 10)	Unbound for ISIC 1110.
B. Extraction of crude petroleum and natural gas⁴ (ISIC rev 3.1: 1110)	Concessions for mining may not be granted to foreign governments or their representatives.
C. Mining of metal ores (ISIC rev 3.1: 13)	Concessionaires that are enterprises organized under foreign law or natural persons not resident in Costa Rica must appoint a legal representative with full powers of attorney to acquire rights and enter into obligations on behalf of the represented enterprise or natural persons, and incorporate in Costa Rica.
D. Other mining and quarrying (ISIC rev 3.1: 14)	Banks of the Costa Rican Banking System shall not grant funds in an amount greater than ten percent of the total investment to enterprises of foreign capital or enterprises with more than 50 percent foreign ownership. Only natural persons can constitute mining cooperatives, and 75 percent of the members must be Costa Rican nationals. If the recipient of a concession for hydrocarbon exploration and other services incidental to the mining of hydrocarbons that is organized under the law of a foreign country, it must have a branch office and legal representative in Costa Rica.
4. MANUFACTURING⁵ (excluding services and manufacture of arms, munitions, explosives and other war material)	
A. Manufacture of food products (ISIC rev 3.1: 151, 152, 153, 154)	None.
B. Manufacture of tobacco products (ISIC rev 3.1: 16)	None.
C. Manufacture of textiles (ISIC rev 3.1: 17)	None.
D. Manufacture of wearing apparel; dressing and dyeing of fur (ISIC rev 3.1: 18)	None.

⁴ Does not include services incidental to mining rendered on a fee or contract basis at oil and gas fields which are to be found in ENERGY SERVICES under 18.A.

⁵ Does not include advisory services incidental to manufacturing, which are to be found in BUSINESS SERVICES under 6.F.h).

Economic activities	Description of reservations
E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear (ISIC rev 3.1: 19)	None.
F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials (ISIC rev 3.1: 20)	None.
G. Manufacture of paper and paper products (ISIC rev 3.1: 21)	None.
H. Publishing, printing and reproduction of recorded media⁶ (ISIC rev 3.1: 22, excluding publishing and printing on a fee or contract basis ⁷)	None.
I. Manufacture of coke oven products (ISIC rev 3.1: 231)	Subject to public monopoly.
J. Manufacture of refined petroleum products⁸ (ISIC rev 3.1: 232)	Subject to public monopoly.
K. Manufacture of chemicals and chemical products other than explosives (ISIC rev 3.1: 24 excluding manufacturing of explosives)	Unbound for ISIC 2411.
L. Manufacture of rubber and plastics products (ISIC rev 3.1: 25)	None.

⁶ The sector is limited to manufacturing activities. It does not include activities which are audiovisual related or present a cultural content.

⁷ Publishing and printing on a fee or contract basis is to be found in BUSINESS SERVICES under 6.F.p).

⁸ The horizontal limitation on public utilities applies.

Economic activities	Description of reservations
M. Manufacture of other non-metallic mineral products (ISIC rev 3.1: 26)	None.
N. Manufacture of basic metals (ISIC rev 3.1: 27)	None.
O. Manufacture of fabricated metal products, except machinery and equipment (ISIC rev 3.1: 28)	None.
P. Manufacture of machinery	
a) Manufacture of general purpose machinery (ISIC rev 3.1: 291)	None.
b) Manufacture of special purpose machinery other than weapons and munitions (ISIC rev 3.1: 2921, 2922, 2923, 2924, 2925, 2926, 2929)	None.
c) Manufacture of domestic appliances n.e.c. (ISIC rev 3.1: 293)	None.
d) Manufacture of office, accounting and computing machinery (ISIC rev 3.1: 30)	None.
e) Manufacture of electrical machinery and apparatus n.e.c. (ISIC rev 3.1: 31)	None.
f) Manufacture of radio, television and communication equipment and apparatus (ISIC rev 3.1: 32)	None.
Q. Manufacture of medical, precision and optical instruments, watches and	None.

Economic activities	Description of reservations
clocks (ISIC rev 3.1: 33)	
R. Manufacture of motor vehicles, trailers and semi-trailers (ISIC rev 3.1: 34)	None.
S. Manufacture of other (non-military) transport equipment (ISIC rev 3.1: 35 excluding manufacturing of warships, warplanes and other transport equipment for military use)	None.
T. Manufacture of furniture; manufacturing n.e.c. (ISIC rev 3.1: 36)	None.
U. Recycling (ISIC rev 3.1: 37)	None.
<u>5. PRODUCTION; TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER⁹</u> (excluding services and nuclear based electricity generation)	
A. Production of electricity; transmission and distribution of electricity on own account (part of ISIC rev 3.1: 4010) ¹⁰	Subject to a public monopoly or exclusive rights.
B. Manufacture of gas; distribution of gaseous fuels through mains on own account (part of ISIC rev 3.1: 4020) ¹¹	Subject to a public monopoly or exclusive rights.
C. Production of steam and hot water; distribution of	Subject to a public monopoly or exclusive rights.

⁹ The horizontal limitation on public utilities applies.

¹⁰ Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

¹¹ Does not include transportation of natural gas and gaseous fuels via pipelines, transmission and distribution of gas on a fee or contract basis and sales of natural gas and gaseous fuels, which are to be found in ENERGY SERVICES.

Economic activities	Description of reservations
steam and hot water on own account (part of ISIC rev 3.1: 4030) ¹²	
<u>6. BUSINESS SERVICES</u> ¹³	
A. Professional services	
a) Legal services (CPC 861) excluding legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries.	Nationality requirement for the professional.
b) 1. Accounting and bookkeeping services (CPC 86212 other than “auditing services”, CPC 86213, CPC 86219 and CPC 86220)	Nationality requirement for the professional. Partnerships with Costa Rican natural or juridical persons are required.
b) 2. Auditing services (CPC 86211 and 86212 other than accounting services)	Nationality requirement for the professional. Partnerships with Costa Rican natural or juridical persons are required.
c) Taxation advisory services (CPC 863) ¹⁴	Nationality requirement for the professional. Partnerships with Costa Rican natural or juridical persons are required.
d) Architectural services and e) Urban planning and landscape architectural services	None.

¹² Does not include transmission and distribution of steam and hot water on a fee or contract basis and sales of steam and hot water, which are to be found in ENERGY SERVICES.

¹³ The horizontal limitations on public utilities and professional services apply.

¹⁴ Does not include legal advisory and legal representational services on tax matters, which are to be found under 6.A.a). Legal services.

Economic activities	Description of reservations
(CPC 8671 and CPC 8674)	
f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)	None.
h) Medical (including psychologists) and dental services (CPC 9312 and part of CPC 85201)	Priority shall be given to nationals with respect to social service requirement.
i) Veterinary services (CPC 932)	None.
j) 1. Midwives services (part of CPC 93191)	Unbound.
j) 2. Services provided by nurses, physiotherapists and paramedical personnel (part of CPC 93191)	Priority shall be given to nationals with respect to social service requirement.
k) Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 63211)	Priority shall be given to nationals with respect to social service requirement. Economic needs tests are required. Main criteria: population and geographical density.
B. Computer and related services (CPC 84)	None.
C. Research and development services (R&D)¹⁵	
a) R & D services on natural sciences (CPC 851 excluding organic	Foreign nationals or enterprises domiciled abroad that supply scientific research and bioprospecting ¹⁶ services with regard to biodiversity ¹⁷ in Costa Rica shall designate a legal representative

¹⁵ The horizontal limitation on public utilities applies.

¹⁶ 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.

¹⁷ 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

Economic activities	Description of reservations
resources)	that resides in Costa Rica. For non resident foreigners different timeframes (up to six months) and fees apply for scientific or cultural collection licenses.
b) R & D services on social sciences and humanities (CPC 852 excluding psychologists services) ¹⁸	None.
c) Interdisciplinary R & D services (CPC 853)	None.
D. Real estate services¹⁹	
a) Involving own or leased property (CPC 821)	None.
b) On a fee or contract basis (CPC 822)	None.
E. Rental/leasing services without operators	
a) Relating to ships (CPC 83103)	Ships must have Costa Rican flag and must be registered in Costa Rica. 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. Only Costa Rican nationals, national public entities, enterprises constituted and domiciled in Costa Rica, and shipping company representatives can register vessels in Costa Rica.
b) Relating to aircraft (CPC 83104)	Subject to residency and reciprocity requirements. Economic needs tests are required. Main criteria: traffic and operation needs.

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.

¹⁸ Part of CPC 85201 which is to be found under 6.A.h - Medical and dental services.

¹⁹ The service involved relates to the profession of real estate agent and does not affect any rights and/or restrictions on natural and juridical persons purchasing real estate.

Economic activities	Description of reservations
c) Relating to other transport equipment (CPC 83101, CPC 83102 and CPC 83105)	None.
d) Relating to other machinery and equipment (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)	None.
e) Relating to personal and household goods (CPC 832)	Unbound for CPC 83202.
f) Telecommunications equipment rental (CPC 7541)	None.
F. Other business services	
a) Advertising (CPC 871)	<p>Unbound for CPC 8719.</p> <p>Incorporation and specific types of legal entity are required (<i>sociedades personales</i>). Foreign natural or juridical persons shall be subject to limitations for the disposal of their ownership.</p> <p>Broadcasting in radio, television and cinema of foreign commercials and jingles shall be subject to limitations. Preferential treatment shall be granted to commercials from Central American countries.</p> <p>Broadcasters of radio, television and cinema commercials shall be subject to nationality, residency and registration requirements.</p> <p>Commercial breaks, spots and commercials sponsored by the State, any other institution of the State or other entities supported by the State shall be subject to nationality requirements.</p>
b) Market research and opinion polling (CPC 864)	None.
c) Management consulting services (CPC 865)	None.
d) Services related to management consulting	None.

Economic activities	Description of reservations
(CPC 866)	
e) Technical testing and analysis services²⁰ (CPC 8676)	None.
f) Advisory and consulting services incidental to agriculture, hunting and forestry (part of CPC 881)	None.
g) Advisory and consulting services incidental to fishing (part of CPC 882)	None.
h) Advisory and consulting services incidental to manufacturing (part of CPC 884 and part of CPC 885)	None.
i) Placement and supply services of personnel	
i) 1. Executive search services (CPC 87201)	None.
i) 2. Placement services of office support personnel and other workers (CPC 87202)	None.
i) 3. Supply services of office support personnel (CPC 87203)	None.
i) 4. Model agency services (part of CPC 87209)	None.
j) 1. Investigation services (CPC 87301)	Residency and nationality requirement. Numerical quotas apply. Main criteria: density in the sector.
j) 2. Security services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305)	Residency and nationality requirement. Numerical quotas apply. Main criteria: density in the sector.

²⁰ The horizontal limitation on public utilities applies to technical testing and analysis services compulsory for the granting of marketing authorisations of for utilisation authorisations (e.g. car inspection, food inspection).

Economic activities	Description of reservations
k) Related scientific and technical consulting services²¹ (CPC 8675)	Unbound for CPC 86751.
l) 1. Maintenance and repair of vessels (part of CPC 8868)	None.
l) 2. Maintenance and repair of rail transport equipment (part of CPC 8868)	Subject to public monopoly.
l) 3. Maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	None.
l) 4. Maintenance and repair of aircraft and parts thereof (part of CPC 8868)	Incorporation is required. Subject to residency and reciprocity requirements. Economic needs tests are required. Main criteria: traffic and operation needs.
l) 5. Maintenance and repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods²² (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	None.
m) Building-cleaning services (CPC 874)	None.

²¹ The horizontal limitation on public utilities applies to certain activities related to mining (minerals, oil, gas, etc.).

²² Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 6.F. l) 1 to 6.F.l) 4. Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 6.B. Computer services.

Economic activities	Description of reservations
n) Photographic services (CPC 875)	Unbound for CPC 87504.
o) Packaging services (CPC 876)	None.
p) Printing and publishing (CPC 88442)	None.
q) Convention services (part of CPC 87909)	None.
r) 1. Translation and interpretation services (CPC 87905)	Unbound for official translation and interpretation.
r) 2. Interior design and other specialty design services (CPC 87907)	None.
r) 3. Collection agency services (CPC 87902)	None.
r) 4. Credit reporting services (CPC 87901)	None.
r) 5. Duplicating services (CPC 87904) ²³	None.
r) 6. Telecommunications consulting services (CPC 7544)	None.
r) 7. Telephone answering services (CPC 87903)	None.
<u>7. COMMUNICATION SERVICES</u>	
A. Courier services including express delivery services²⁴ (CPC 7512, except for the services reserved to the State)	None.

²³ Does not include printing services, which fall under CPC 88442 and are to be found under 6.F p).

Economic activities	Description of reservations
and its enterprises in accordance with the national legislation)	
B. Telecommunications services	
a) All services consisting entirely or mainly of signal transportation through telecommunications networks, excluding broadcasting^{25 26}	<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>A special concession granted by the Legislative Assembly shall be required to supply traditional basic telephone services.²⁷</p> <p>Participation of capital in enterprises constituted or acquired by the Costa Rican Electricity Institute (<i>Instituto Costarricense de Electricidad</i>) shall be limited to 49%. Participation of foreign capital in joint ventures with the Public Services Company of Heredia (<i>Empresa de Servicios Públicos de Heredia</i>) shall be limited to 49%.</p> <p>Trust agreements of the National Telecommunication Fund (<i>Fondo Nacional de Telecomunicaciones</i>) shall be signed with public banks of the National Banking System.</p>
b) Satellite broadcast transmission services²⁸	Unbound.
<u>8. CONSTRUCTION AND RELATED ENGINEERING SERVICES²⁹</u>	None.

²⁴ For purposes of this Agreement, express delivery services means the collection, transport, and delivery, of documents, printed matter, parcels, goods, or other items on an expedited basis, while tracking and maintaining control of these items throughout the supply of the service. Express delivery services do not include (i) air transport services, (ii) services supplied in the exercise of governmental authority, or (iii) maritime transport services.

²⁵ These services do not include on-line information and/or data processing (including transaction processing) (part of CPC 843) which is to be found under 6.B. Computer services.

²⁶ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

²⁷ The traditional basic telephone service is targeted at user communication through data and voice switching exchanges in a predominantly wired network, with a general access for the population, excluding associated value-added services.

²⁸ These services cover the telecommunications service consisting of the transmission and reception of radio and television broadcast by satellite (the uninterrupted chain of transmission via satellite required for the distribution of TV and radio programme signals to the general public). This covers selling use of satellite services, but does not include the selling of television programme packages to households.

Economic activities	Description of reservations
(CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	
<u>9.DISTRIBUTION SERVICES</u> (excluding distribution of arms, munitions, explosives and other war material) ³⁰	
A. Commission agents' services	
a) Commission agents' services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None.
b) Other commission agents' services (CPC 621)	Unbound for CPC 62112, 62113 and 62117.
B. Wholesale trade services	
a) Wholesale trade services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None.
b) Wholesale trade services of telecommunication terminal equipment (part of CPC 7542)	None.
c) Other wholesale trade services (CPC 622 excluding wholesale trade services of energy products ³¹)	Unbound for CPC 6222, 6225 and 6227.

²⁹ The horizontal limitation on professional services applies.

³⁰ The horizontal limitation on public utilities applies.

Economic activities	Description of reservations
C. Retailing services³²	
a) Retailing services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (CPC 61112, part of CPC 6113 and part of CPC 6121)	None.
b) Retailing services of telecommunication terminal equipment (part of CPC 7542)	None.
c) Food retailing services (CPC 631)	Unbound for CPC 63107.
d) Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopaedic goods³³ (CPC 632 excluding CPC 63211 and 63297)	None.
D. Franchising (CPC 8929)	None.
<u>10. EDUCATIONAL SERVICES</u> (only privately funded services)	
A. Primary education services (CPC 921)	Unbound for CPC 923.
B. Secondary education services (CPC 922)	

³¹ These services, which include CPC 62271, are to be found in ENERGY SERVICES under 18.D.

³² Does not include maintenance and repair services, which are to be found in BUSINESS SERVICES under 6.B. and 6.F.l).
Does not include retailing services of energy products which are to be found in ENERGY SERVICES under 18.E and 18.F.

³³ Retail sales of pharmaceutical, medical and orthopaedic goods are to be found under PROFESSIONAL SERVICES in 6.A.k).

Economic activities	Description of reservations
C. Higher education services (CPC 923) D. Adult education services (CPC 924) E. Other education services (CPC 929)	
11. ENVIRONMENTAL SERVICES³⁴	
A. Waste water services (CPC 9401) ³⁵ B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste a) Refuse disposal services (CPC 9402) b) Sanitation and similar Services (CPC 9403) C. Protection of ambient air and climate (CPC 9404) ³⁶ D. Remediation and clean up of soil and waters Treatment, remediation of contaminated/polluted soil and water (part of CPC 9406) ³⁷ E. Noise and vibration abatement (CPC 9405)	<p>Subject to a public monopoly or exclusive rights.</p> <p>Economic needs tests are required. Main criteria: environmental needs.</p>

³⁴ The horizontal limitations on public utilities and professional services apply.

³⁵ Corresponds to sewage services.

³⁶ Corresponds to Cleaning Services of Exhaust Gases.

³⁷ Corresponds to parts of Nature and Landscape Protection Services.

Economic activities	Description of reservations
<p>F. Protection of biodiversity and landscape</p> <p>Nature and landscape protection services (part of CPC 9406)</p> <p>G. Other environmental and ancillary services (CPC 9409)</p>	
<p><u>12. FINANCIAL SERVICES</u></p> <p>In the case of financial services, the differentiated treatment that is set out in Costa Rican legislation in favor of the State, commercial state banks and other public institutions, with regard to private banks and financial private institutions (Costa Rican or foreign capital) or another State, does not constitute a limitation on market access and national treatment.</p> <p>Costa Rica reserves the right to adopt or maintain measures requiring the incorporation in Costa Rica of foreign financial services suppliers, other than those seeking to operate as banks or insurance companies within Costa Rica.</p>	
<p>A. Insurance and insurance-related services</p>	<p>Incorporation is required except for insurance and reinsurance companies.</p> <p>On a non-discriminatory basis, doing business and solicitation shall be prohibited for representation offices.</p> <p>The State guarantees the insurance activity of the <i>Instituto Nacional de Seguros</i>.</p> <p>Public monopoly for compulsory automobile insurance and occupational risk insurance until January 1, 2011.</p>
<p>B. Banking and other financial services (excluding insurance)</p>	<p>Private banks in Costa Rica are required to be constituted or organized under Costa Rica law.</p> <p>The State guarantees the liabilities of the State Banks.</p> <p>Private banks that operate current accounts and saving sections have to meet the following requirements:</p> <p>(a) To maintain permanently a minimum loan balance with the state bank that administers the credit fund for development (“<i>fondo de crédito para el desarrollo</i>”) equivalent to seventeen percent of total short-term deposits (thirty days or less), once the corresponding reserve is deducted, both in domestic and foreign currencies. Such funds will be placed</p>

Economic activities	Description of reservations
	<p>at a rate equivalent to fifty percent of either the basic passive rate calculated by the <i>Banco Central de Costa Rica</i> for domestic currency, or the LIBOR rate at a one month term for foreign currency.</p> <p>(b) Alternatively, to establish at least four agencies or branches to provide basic banking services – both passive and active – in the following regions: Chorotega, Central Pacific, Brunca, Atlantic Huetar, and North Huetar, dedicating at least ten percent, once the corresponding reserve has been deducted, of total short-term deposits (thirty days or less), in domestic or foreign currency, to credits for programs designated by the <i>Consejo Rector del Sistema de Banca para el Desarrollo</i>, with such funds to be placed at a rate not higher than the basic passive rate calculated by the <i>Banco Central de Costa Rica</i>, in its placements in <i>colones</i>, and the LIBOR rate at a one-month term, for resources in foreign currency.</p> <p>The State and public institutions with state character, as well as the public institutions the equity of which belongs mainly to the State or its institutions, may only make deposits and operations in current and savings accounts through State commercial banks.</p> <p>Only <i>Banco Popular y de Desarrollo Comunal</i> will manage the funds of the mandatory contributions made by employers and employees pursuant to respective legislation.</p> <p>At least ten Costa Rican cooperative organizations are required to establish and operate a cooperative bank.</p> <p>At least twenty five Costa Rican solidarity associations are required to establish and operate a solidarity bank.</p> <p>On a non-discriminatory basis, non-bank financial companies may not provide financial leasing services, since there are legal restrictions on the acquisition of movable and immovable property by such entities.</p>
13. HEALTH SERVICES AND SOCIAL SERVICES³⁸ (only privately funded services)	
A. Hospital services (CPC 9311)	None.
B. Ambulance services	

³⁸ The horizontal limitations on public utilities and professional services apply.

Economic activities	Description of reservations
(CPC 93192) C. Residential health facilities other than hospital services (CPC 93193)	
<u>14. TOURISM AND TRAVEL RELATED SERVICES</u>	
A. Hotel, restaurants and catering (CPC 641 and CPC 642) excluding catering in air transport services³⁹	Economic needs tests are required. Main criteria: population and geographical density.
B. Travel agencies and tour operators services (including tour managers) (CPC 7471)	The number of travel agencies authorized to operate in Costa Rica shall be subject to economic needs test.
C. Tourist guides services (CPC 7472)	Residency requirement for tourist guides licenses.
<u>15. RECREATIONAL, CULTURAL AND SPORTING SERVICES</u> (other than audio-visual services) (only privately funded services)	
A. Entertainment services (including theatre, live bands, circus and discotheque services) (CPC 9619)	None.
B. News and press agencies services (CPC 962)	<p>Except as 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 <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 <i>Colegio de Periodistas</i>.</p> <p>If the <i>Colegio de Periodistas</i> decides that an event of international importance will or has occurred in Costa Rica, the <i>Colegio de Periodistas</i> may grant a non-resident foreign national with</p>

³⁹ Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 17.E.a) Ground handling services.

Economic activities	Description of reservations
	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.
C. Libraries, archives, museums and other cultural services ⁴⁰ (CPC 963)	Unbound.
D. Sporting services (CPC 9641)	None.
E. Recreation park and beach services (including tourism marinas) (CPC 96491)	Unbound.
<u>16. TRANSPORT SERVICES</u>	
A. Maritime transport ⁴¹ a) International passenger transportation (CPC 7211 <u>less</u> national cabotage transport). b) International freight transportation (CPC 7212 <u>less</u> national cabotage transport) ⁴²	Unbound for the establishment of a registered company for the purpose of operating a fleet under the national flag of Costa Rica.
B. Internal waterways transport ⁴³ a) Passenger transportation (CPC 7221) b) Freight transportation (CPC 7222)	Unbound.

⁴⁰ The horizontal limitation on public utilities applies.

⁴¹ The horizontal limitation on public utilities applies to port services and other maritime transport services requiring the use of the public domain.

⁴² Includes feeding services and movement of equipment by international maritime transport suppliers between ports located in same State when no revenue is involved.

Economic activities	Description of reservations
C. Rail transport⁴⁴ a) Passenger transportation (CPC 7111) b) Freight transportation (CPC 7112)	Subject to a public monopoly.
D. Road transport⁴⁵ a) Passenger transportation (CPC 7121 and CPC 7122) b) Freight transportation⁴⁶ (CPC 7123)	Unbound.
E. Pipeline transport of goods other than fuel^{47 48} (CPC 7139)	Unbound.
<u>17. SERVICES AUXILIARY TO TRANSPORT⁴⁹</u>	
A. Services auxiliary to maritime transport⁵⁰ a) Maritime cargo handling services b) Storage and warehousing Services (part of CPC 742)	Subject to a public monopoly or exclusive rights. Costa Rica reserves the right to limit the number of concessions to supply maritime services in national ports based on demand for those services. Priority will be given to concessionaires already supplying the service. All enterprises holding a concession must be organized under Costa Rica law and domiciled in Costa Rica. Unbound for customs clearance services, pushing and towing

⁴³ The horizontal limitation on public utilities applies to port services and other internal waterway transport services requiring the use of the public domain.

⁴⁴ The horizontal limitation on public utilities applies to rail transport services requiring the use of the public domain.

⁴⁵ The horizontal limitation on public utilities applies.

⁴⁶ The horizontal limitation on public utilities applies.

⁴⁷ Pipeline transportation of fuels is to be found in ENERGY SERVICES under 18.B.

⁴⁸ The horizontal limitation on public utilities applies.

⁴⁹ Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 6.F.1) 1 to 6.F.1) 4.

⁵⁰ The horizontal limitation on public utilities applies to port services, to other auxiliary services requiring the use of the public domain and to pushing and towing services.

Economic activities	Description of reservations
<p>c) Customs clearance services</p> <p>d) Container station and depot services</p> <p>e) Maritime agency services</p> <p>f) Maritime freight forwarding services</p> <p>g) Rental of vessels with crew (CPC 7213)</p> <p>h) Pushing and towing services (CPC 7214)</p> <p>i) Supporting services for maritime transport (part of CPC 745)</p> <p>j) Other supporting and auxiliary services (including catering) (part of CPC 749)</p>	<p>services and other supporting and auxiliary services (including catering).</p>
<p>B. Services auxiliary to internal waterways transport⁵¹</p> <p>a) Cargo-handling services (part of CPC 741)</p> <p>b) Storage and warehouse services (part of CPC 742)</p> <p>c) Freight transport agency services (part of CPC 748)</p> <p>d) Rental of vessels with crew (CPC 7223)</p>	<p>Unbound.</p>

⁵¹ The horizontal limitation on public utilities applies to port services, to other auxiliary services requiring the use of the public domain and to pushing and towing services.

Economic activities	Description of reservations
<p>e) Pushing and towing services (CPC 7224)</p> <p>f) Supporting services for internal waterway transport (part of CPC 745)</p> <p>g) Other supporting and auxiliary services (part of CPC 749)</p>	
<p>C. Services auxiliary to rail transport⁵²</p> <p>a) Cargo-handling services (part of CPC 741)</p> <p>b) Storage and warehouse services (part of CPC 742)</p> <p>c) Freight transport agency services (part of CPC 748)</p> <p>d) Pushing and towing services (CPC 7113)</p> <p>e) Supporting services for rail transport services (CPC 743)</p> <p>f) Other supporting and auxiliary services (part of CPC 749)</p>	Unbound.
<p>D. Services auxiliary to road transport⁵³</p> <p>a) Cargo-handling services (part of CPC 741)</p>	Unbound.

⁵² The horizontal limitation on public utilities applies when the services require the use of the public domain.

⁵³ The horizontal limitation on public utilities applies when the services require the use of the public domain.

Economic activities	Description of reservations
<p>b) Storage and warehouse services (part of CPC 742)</p> <p>c) Freight transport agency services (part of CPC 748)</p> <p>d) Rental of commercial road vehicles with operators (CPC 7124)</p> <p>e) Supporting services for road transport equipment (CPC 744)</p> <p>f) Other supporting and auxiliary services (part of CPC 749)</p>	
<p>E. Services auxiliary to air transport services</p> <p>a) Ground handling services (including catering)</p> <p>b) Storage and warehouse services (part of CPC 742)</p> <p>c) Freight transport agency services (part of CPC 748)</p> <p>d) Airport management⁵⁴</p>	<p>Subject to a public monopoly or exclusive rights.</p> <p>Costa Rica reserves the right to limit the number of concessions to supply auxiliary to air transport services in national ports based on demand for those services. Priority will be given to concessionaires already supplying the service. All enterprises holding a concession must be organized under Costa Rica law and domiciled in Costa Rica.</p>
<p>e) Rental of aircraft with crew (CPC 734)</p>	<p>Subject to residency and reciprocity requirements.</p> <p>Economic needs tests are required. Main criteria: traffic and operation needs.</p>
<p>f) Sales and marketing</p> <p>g) Computer reservations system</p>	<p>None.</p>

⁵⁴ The horizontal limitation on public utilities applies.

Economic activities	Description of reservations
F. Services auxiliary to pipeline transport of goods other than fuel⁵⁵ Storage and warehouse services of goods other than fuel transported by pipelines⁵⁶ (part of CPC 742)	Unbound.
<u>18. ENERGY SERVICES</u>	
A. Services incidental to mining⁵⁷ (CPC 883) ⁵⁸	Unbound.
B. Pipeline transportation of fuels⁵⁹ (CPC 7131)	Subject to a public monopoly.
C. Storage and warehouse services of fuels transported through pipelines⁶⁰ (part of CPC 742)	Subject to a public monopoly.
D. Wholesale trade services of solid, liquid and gaseous fuels and related products (CPC 62271) excluding wholesale trade	Subject to a public monopoly.

⁵⁵ Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES. under 18.C.

⁵⁶ The horizontal limitation on public utilities applies.

⁵⁷ The horizontal limitation on public utilities applies.

⁵⁸ Includes the following service rendered on a fee or contract basis: advisory and consulting services relating to mining, on land site preparation, on land rig installation, drilling, drilling bits services, casing and tubular services, mud engineering and supply, solids control, fishing and downhole special operations, wellsite geology and drilling control, core taking, well testing, wireline services, supply and operation of completion fluids (brines) supply and installation of completion devices, cementing (pressure pumping), stimulation services (fracturing, acidising and pressure pumping), workover and well repair services, plugging and abandoning of wells.
Does not include direct access to or exploitation of natural resources.
Does not include site preparation work for mining of resources other than oil and gas (CPC 5115), which is to be found under 8. CONSTRUCTION SERVICES.

⁵⁹ The horizontal limitation on public utilities applies.

⁶⁰ The horizontal limitation on public utilities applies.

Economic activities	Description of reservations
services of electricity, steam and hot water ⁶¹	
E. Retailing services of motor fuel (CPC 613)	Subject to a public monopoly. Costa Rica reserves the right to limit the number of concessions for retail distributors of crude oil and its derivatives – including fuel, asphalt, and naphtha – based on demand for the service. Priority will be given to concessionaires already supplying the service.
F. Retail sales of fuel oil, bottled gas, coal and wood (CPC 63297) excluding retailing services of electricity, (non bottled) gas, steam and hot water⁶²	Subject to a public monopoly or exclusive rights. Costa Rica reserves the right to limit the number of concessions for retail distributors of crude oil and its derivatives – including fuel, asphalt, and naphtha – based on demand for the service. Priority will be given to concessionaires already supplying the service.
G. Services incidental to energy distribution⁶³ (CPC 887)	Unbound except for consultancy services.
<u>19. OTHER SERVICES NOT INCLUDED ELSEWHERE</u>	
A. Washing, cleaning and dyeing services (CPC 9701)	None.
B. Hairdressing services (CPC 97021)	None.
C. Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	None.
D. Other beauty treatment services n.e.c (CPC 97029)	None.
E. Spa services and non therapeutical massages, to the extent that they are provided	None.

⁶¹ The horizontal limitation on public utilities applies.

⁶² The horizontal limitation on public utilities applies.

⁶³ Except for consulting services, the horizontal limitation on public utilities applies.

Economic activities	Description of reservations
as relaxation physical well-being services and not for medical or rehabilitation purposes ^{64 65} (CPC ver. 1.0 97230)	
F. Telecommunications connection services (CPC 7543)	Unbound.

⁶⁴ Therapeutical massages and thermal cure services are to be found under 6.A.h) Medical services, 6.A.j) 2 Services provided by nurses, physiotherapists and para-medical personnel and health services (13.A and 13 C).

⁶⁵ The horizontal limitation on public utilities applies to Spa services and non therapeutical massages provided in domains of public utility such as certain water sources.