

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

**RESTRICTED**  
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**Group of Negotiations on Services**

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**COMMUNICATION FROM COSTA RICA**

**Draft Schedule of Costa Rica Concerning  
Initial Commitments on Trade in Services**

The following communication is circulated at the request of Costa Rica to the members of the Group of Negotiations on Services.

Pursuant to Article XX of the General Agreement on Trade in Services, Costa Rica transmits herewith its draft Schedule of Specific Commitments on Trade in Services.

The draft Schedule includes the technical specifications agreed upon during the negotiations.

Costa Rica reserves the right to modify, increase, reduce or withdraw its offer if necessary, in the light of the results obtained in the negotiations on market access under the Uruguay Round, particularly with regard to tropical products, agriculture and textiles.

It also reserves the right to make technical changes in the offer, which may include clarifications or amendments as required.

Costa Rica likewise reserves the right to make changes to the Schedule in the light of the verification process to take place after 15 December.

**SCHEDULE OF HORIZONTAL COMMITMENTS APPLICABLE TO THE SECTORS  
LISTED IN THE SECTORAL PART OF THE SCHEDULE**

The Law provides that foreigners wishing to provide a service that requires the exercise of a profession must belong to the competent professional college. In some cases, compulsory membership is dependent upon fulfilment of nationality and residence requirements. In certain cases, foreign professionals may only be employed by State bodies if no Costa Ricans are prepared to provide the service in the required conditions.

The Law states that the land maritime zone is non-transferable and gives the State total control over it. Nevertheless, the State is allowed to grant concessions to individuals. The Law lays down restrictions on participation by foreign natural and/or legal persons in concessions which the State is empowered to grant. This measure mainly concerns commercial presence.

**SCHEDULE OF SPECIFIC COMMITMENTS OF COSTA RICA**

**Key:**

- (1) Cross-border supply
- (3) Commercial presence
- (2) Consumption abroad
- (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>COMPUTER AND RELATED SERVICES</b>			
Consultancy services related to the installation of computer hardware (841)	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) Not bound</p> <p>(4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.</p>	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) Not bound</p> <p>(4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.</p>	
Software implementation services (842)	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) Not bound</p> <p>(4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.</p>	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) Not bound</p> <p>(4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.</p>	
Data processing services (843)	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) Not bound</p> <p>(4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.</p>	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) Not bound</p> <p>(4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Data base services (844)	(1) Not bound (2) None (3) Not bound (4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.	(1) Not bound (2) None (3) Not bound (4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.	
<b>TOURISM AND TRAVEL RELATED SERVICES</b>			
Hotel and other lodging services (641)	(1) Not bound* (2) None (3) Not bound (4) Not bound	(1) Not bound* (2) None (3) Not bound (4) Not bound	
Food serving services (642)	(1) Not bound (2) None (3) In order to prove that an enterprise is a tourist enterprise it must meet certain requirements such as: prove that earnings received or estimated from the sale of food amount to at least 50% of total sales, not including the cost of admission charges, reservations or other similar charges. (4) Not bound	(1) Not bound (2) None (3) Not bound (4) Not bound	
Travel agency and tour operator services (741)	(1) Not bound (2) Not bound (3) Foreign investors can own up to 49% of the equity of such enterprises. (4) Not bound	(1) Not bound (2) Not bound (3) Foreign investors can own up to 49% of the equity of such enterprises. (4) Not bound	
Tourist guide services (742)	(1) Not bound (2) None (3) Right to exercise this activity reserved to Costa Rican nationals. (4) Limited to Costa Rican service providers.	(1) Not bound (2) None (3) Right to exercise this activity reserved to Costa Rican nationals. (4) Limited to Costa Rican service providers.	

\*Not bound because not technically viable.

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>OTHER SERVICES RELATED TO TOURISM</b>			
Leasing or rental services concerning private cars without operator (83101)	(1) Not bound (2) None (3) Not bound (4) Not bound	(1) Not bound (2) None (3) Not bound (4) Not bound	
Tourist boat - rental services (96499)	(1) Not bound (2) None (3) Not bound (4) Not bound	(1) Not bound (2) None (3) Not bound (4) Not bound	
Computerized reservation services	(1) Not bound (2) None (3) Not bound (4) Not bound, except for measures on the temporary entry of managers, administrative directors, administrative directors, superintendents and general managers in enterprises and general managers in enterprises provided that there are not more than two in each enterprise.	(1) Not bound (2) None (3) Not bound (4) Not bound, except for measures on the temporary entry of managers, administrative directors, superintendents and general managers in enterprises provided that there are not more than two in each enterprise.	
<b>EDUCATION SERVICES*</b>			
Primary education services (921)	(1) Not bound (2) None (3) Not bound (4) The Superior Council for Education participates in matters relating to school teachers and staff of education institutions.	(1) Not bound (2) None (3) Not bound (4) The Superior Council for Education participates in matters relating to school teachers and staff of education institutions.	
Secondary education services (922)	(1) Not bound (2) None (3) Not bound (4) The Superior Council for Education participates in matters relating to school teachers and staff of education institutions.	(1) Not bound (2) None (3) Not bound (4) The Superior Council for Education participates in matters relating to school teachers and staff of education institutions.	

\*The Constitution recognizes that education is a public service and therefore all private centres are subject to State inspection.

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b><u>EDUCATION SERVICES</u></b> (cont'd)			
Other higher education services <sup>3</sup> (92390)	<p>(1) Not bound            (2) Not bound            (3) The establishment of public companies or any type of commercial enterprise with the aim of providing university education is prohibited.            (4) Not bound, except to the extent indicated in the section on horizontal measures.</p>	<p>(1) Not bound            (2) Not bound            (3) Not bound            (4) Not bound, except to the extent indicated in the section on horizontal measures.</p>	
<b><u>HEALTH AND SOCIAL SERVICES</u></b>			
Hospital services (9311)	<p>(1) Not bound*            (2) None            (3) Not bound            (4) Not bound</p>	<p>(1) Not bound*            (2) None            (3) Not bound            (4) Not bound</p>	
Medical and dental services (9312)	<p>(1) Not bound            (2) None            (3) Not bound            (4) None, except for those indicated in the section on horizontal measures.</p>	<p>(1) Not bound            (2) None            (3) Not bound            (4) None, except for those indicated in the section on horizontal measures.</p>	

<sup>3</sup>Since education has a public service function, profit-making in university higher education is prohibited. The National Council of University Higher Education (CONESEP), authorizes the establishment and operation of private universities (including fees, plans, study programmes, supervision, etc.) and is responsible for approving the teaching staff and directives in such universities.

\*Not bound because not technically viable.