

List of Panama

Sector:	Retail sales
Type of Reservation:	National Treatment (Article 9.3) Senior Management and Boards of Directors (Article 9.9)
Measures:	Article 293 of the Political Constitution of the Republic of Panama of 1972 (including the reforms and the constitutional act of 1983). Article 16 of Executive Decree 35 of May 24, 1996. Published in Official Gazette 23,046 of May 29, 1996.
Description:	<p><u>Investment</u></p> <p>Only the following may engage in retail business:</p> <ol style="list-style-type: none">1. Panamanians by birth.2. Individuals that when the Constitution of 1972 took effect were naturalized and married with Panamanian (of either gender) or have children with Panamanian (of either gender).3. Panamanians by naturalization who are not included in the previous case, after three years of the date in which they will have obtained his definitive permit.4. Panamanian or foreign juridical persons and foreign natural persons who were engaged in lawful retail activities when the 1972 Constitution entered into force.5. Juridical persons formed by Panamanians or foreigners empowered to act as such individually according to article 292 of the Political Constitution, and also those that, without being constituted in the form herein expressed, were engaged in retail business on the moment this Constitution took effect. <p>However, foreigners not authorized to engage in retail business may participate in those companies that sell products manufactured by themselves.</p> <p>To run a retail business means to engage in sales to the consumer or the representation or agency of manufacturing or mercantile enterprises or any other activity that the Law classifies as pertaining to such a business.</p> <p>Farmers or craftsmen who sell its own products are excluded from this rule.</p>

Sector:	All sectors
Type of Reservation:	National Treatment (Article 9.3)
Measures:	Articles 290 and 291 of the Political Constitution of the Republic of Panama of 1972 (includes the reforms and the Constitutional Act of 1983).
Description:	<u>Investment</u> No foreign government, foreign official, or foreign state enterprise, may own real property in Panama, except property used for an embassy. No foreign national or enterprise or enterprise organized under the laws of Panama owned entirely or partially by foreign nationals may own real property within 10 kilometers of Panama's borders.

Sector: Public Utilities

Type of Reservation: National Treatment (Article 9.3)

Measures: Article 285 of the Political Constitution of the Republic of Panama of 1972 (includes the reforms and the Constitutional Act of 1983)

Description: Investment

The majority of the capital of private enterprises engaged in public utilities that operate in the country shall be Panamanian, except where established by law.

Sector:	All sectors
Type of Reservation:	National Treatment (Article 10.3) Senior Management and Boards of Directors (Article 9.9)
Measures:	Article 322 of the Political Constitution of the Republic of Panama of 1972 (includes the reforms and the Constitutional Act of 1983). Article 86 of Law No. 19 of June 11, 1997, by means of which the Panama Canal Authority is organized. Published in the Official Gazette No. 23,309 of June 13, 1997.
Description:	<u>Investment and Cross-Border Trade in Services</u> Panamanians shall have preference over foreigners for positions in the Panama Canal Authority. Provided that the position is difficult to fill and that all channels for hiring a qualified Panamanian have been exhausted, a foreigner may be hired instead of a Panamanian, subject to the authorization of the Canal Authority Administrator. If the only applicants to a position with the Panama Canal Authority are foreigners, preference shall be given to those foreigners with Panamanian spouses or those who have lived in Panama for ten consecutive years.

Sector:	Musicians and artists
Type of Reservation:	National Treatment (Article 10.3) Performance Requirements (Article 9.6)
Measures:	<p>Article 1 of Law No. 10 of January 8, 1974, establishing rules to protect national artists and musical performers. Published in the Official Gazette No. 17,518 of January 23, 1974.</p> <p>Article 1 of Executive Decree No. 38 of August 12, 1985 that contains protective norms national artists and musical performers. Published in the Official Gazette No. 20,381 of August 30 of 1985.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Any employer who hires a foreign orchestra or musical group shall be required to hire a local Panamanian orchestra or musical group to perform at each one of the premises or places where the foreign orchestra or musical group performs and shall be under such obligation for the duration of the foreign group's contract. In these cases, the Panamanian orchestra or musical group shall receive at least the amount of B/.1,000.00 per performance, of which each member of the group shall receive a sum no less than B/.60.00.</p> <p>Panamanian artists performing alongside foreign artists must be hired on the same footing and with the same professional considerations, as well as for promotions, publicity, and advertising related to the event, regardless of the media used.</p> <p>The hiring of foreign artists for promotions, or the charitable donation or exchange of any nature of its services or works, shall only be approved if it does not adversely affect or displace a Panamanian artist and in any case it must be submitted to evaluation by an expert to determine the value of the service and/or work provided for the purpose of paying union fees and dues.</p>

Sector:	Travel agencies
Type of Reservation:	National Treatment (Articles 9.3 and 10.3)
Measures:	Article 2 of Law No. 73 of December 22, 1976, by means of which the business of Travel agency is regulated. Published in the Official Gazette No. 18,244 of December 30, 1976.
Description:	<u>Investment and Cross-Border Trade in Services</u> To engage in the business of travel agencies in the territory of Panama, a supplier must meet the criteria set out in the entry on retail sales. Natural persons engaged in these activities in the territory of Panama must be Panamanian nationals.

Sector:	Services of transmission of radio and television programs
Type of Reservation:	National Treatment (Articles 9.3 and 10.3) Most-Favored-Nation Treatment (Article 10.4) Senior Management and Boards of Directors (Article 9.9)
Measures:	<p>Article 285 of the Political Constitution of the Republic of Panama of 1972 (includes the reforms and the Constitutional Act of 1983).</p> <p>Articles 14 and 25 of Law No. 24 of June 30, 1999, by means of which the public services of radio and television are regulated and other measures are dictated. Published in the Official Gazette No. 23,832 of July 5, 1999.</p> <p>Articles 152 and 161 of Executive Decree No. 189 of August 13, 1999, by means of which the Law No. 24 of 1999 is regulated. Published in the Official Gazette No. 23,866 of August 18, 1999.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Concessions to operate radio or television stations shall be granted to natural or juridical persons. In the case of natural persons, it is required that the concessionaire has Panamanian citizenship. In the case of juridical persons, not less than sixty-five percent of their effective shareholding shall be held by Panamanian nationals. In such cases, shares or quotas of participation of the juridical persons shall be nominative.</p> <p>Except as provided in Article 285 of the Constitution, this requirement does not apply to paid public radio and television services and, thus, more than 50 percent of the capital of these concessions may be foreign owned.</p> <p>For open radio and television services, whether Type A or Type B, each of the directors, administrative partners, fiduciaries, founding council members, and all principal directors or administrators of the respective company must also be Panamanian nationals.</p> <p>Services Type A: Radio and television services for which an assignment of frequency by the Ente Regulador de los Servicios Publicos is required for the operation and exploitation of main frequencies for transmission.</p> <p>Services Type B: Radio and television services for which an assignment of frequency by the Ente Regulador de los Servicios Publicos is not required. Services Type B also covers concessions for those public radio and television services which require frequencies for the exclusive transmission of educational, cultural, scientific, medical or environmental assistance, meteorological or traffic information, as determined by the Ente Regulador de los Servicios Publicos .</p> <p>Under no circumstances may a foreign government, or a company or consortium owned by a foreign government or in which a foreign government has a controlling interest, provide</p>

by itself or through a third party, public radio or television services or hold a controlling interest, directly or indirectly, in companies that provide such services.

All concessionaires of public telecommunications services and their subsidiaries are prohibited from operating public radio and television services while they are operating public telecommunication services under a temporary exclusivity regime.

Announcers must be Panamanian nationals to obtain a license.

Concessionaires of public radio and television services may not broadcast, during their programming, any type of advertisement originating within Panama containing announcements made by announcers who do not have a license issued by the Panamanian regulatory entity, except in the case of reciprocity rights, pursuant to the appropriate international treaties and agreements that have been ratified by Panama.

Sector:	Telecommunication services
Type of Reservation:	National Treatment (Article 9.3)
Measures:	Article 21 of Law No. 31 of February 8, 1996, by means of which rules for the regulation of the telecommunication in Panama are dictated. Published in the Official Gazette No. 22,971 of February 9, 1996.
Description:	<u>Investment</u> In no case a foreign government or consortium in which a foreign government has owned, control or majority equity participation, may operate by itself or by an interposed person, telecommunication services; or to be shareholder or majority partner, directly or indirectly, of enterprises that operate telecommunications services.

Sector:	Education
Type of Reservation:	National Treatment (Article 10.3)
Measures:	Article 100 of the Political Constitution of the Republic of Panama of 1972 (includes the reforms and the Constitutional Act of 1983).
Description:	<u>Cross-Border Trade in Services</u> Panamanian history and civic education shall be taught by Panamanian nationals.

Sector:	Electrical energy
Type of Reservation:	National Treatment (Article 9.3) Senior Management and Boards of Directors (Article 9.9) Market Access (Article 10.5)
Measures:	Articles 32, 45 and 46 of Law No. 6 of February 3, 1997, by means of which the regulatory and institutional framework for rendering public services in electricity is issued. Published in the Official Gazette No. 23,220 of February 5, 1997.
Description:	<p><u>Investment and Cross Border Trade in Services</u></p> <p>Electrical power distribution services in the territory of Panama shall be supplied by three enterprises for a period of 15 years, under concessions granted by the Ente Regulador de los Servicios Publicos. This period started in October 22, 1998.</p> <p>Electrical power transmission services in the territory of Panama may be supplied only by the Government of Panama.</p> <p>Members of the Board of Directors of the electrical enterprises of the State must be Panamanian nationals.</p> <p>The shares of any transmission company shall be 100% property of the government of Panama.</p>

Sector:	Crude petroleum and natural gas
Type of Reservation:	National Treatment (Article 9.3) Local Presence (Article 10.6) Performance Requirements (Article 9.6)
Measures:	Articles 21, 25, 26 and 71 of Law No.8 of June 16, 1987, by means of which the activities related to hydrocarbons are regulated. Published in the Official Gazette No. 20,834 of July 1, 1987.
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>When the contractor is a foreign juridical person, it shall establish itself or open a branch in the Republic of Panama.</p> <p>Contractors that hire foreign technical personnel for the accomplishment of their operations are obliged to establish a scholarship system in favor of personnel who are Panamanian nationals.</p> <p>Contractors may apply for the exemption of import tax on machinery, equipment, spare parts and other articles necessary for carrying out the activities proper of their respective contracts, as long as there is no supply of the same produced in the country, of acceptable quality and competitive price, as determined by the Ministry of Commerce and Industries.</p> <p>Contractors and subcontractors may acquire goods and contract services from abroad, provided that such goods and services are not available in Panama, or do not fulfill the normal specifications required by the industry as determined by la Direccion Nacional de Hidrocarburos del Ministerio de Comercio e Industrias.</p>

Sector:	Operation of mines - Extraction of non-metallic, metallic (except precious minerals) minerals, precious alluvial minerals, precious non alluvial minerals, fuel minerals (except hydrocarbons) and reserve minerals
Type of Reservation:	National Treatment (Articles 9.3 and 10.3) Performance Requirements (Article 9.6)
Measures:	Articles 4, 5, 130, 131, 132 and 135 of Decree Law No. 23 of August 22, 1963, by means of which the Code of Mineral Resources is approved. Published in the Official Gazette No. 15,162 of July 13, 1964. Article 11 of Law No.3 of January 28, 1988, by means of which the Code of Mineral Resources is reformed. Published in the Official Gazette No. 20,985 of February 8, 1988.
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Foreign governments or States, foreign entities or official or semi-official institutions, juridical persons in which there is direct or indirect participation of any foreign government or State may not obtain mining concessions or be contractors by itself, nor by an interposed person, neither could they operate or benefit from these mining concessions.</p> <p>Foreign governments, foreign official or semiofficial organizations or entities, juridical persons in which there is direct or indirect participation any foreign government or State, may not acquire, possess or retain, for use in mining operations in Panama, any equipment or material without previous and special authorization issued through a Decree of the President of the Republic and signed by all the Cabinet members.</p> <p>Preference shall be given to Panamanians for positions in all phases of mining operations, in accordance with the Labor Code.</p> <p>All the concessionaires, with exception of those that only possess concessions for exploration or extraction of minerals of Class A for use in construction, should provide at their costs instruction and theoretical and practical training to Panamanian employees that are professional and specialized workers, in educational or professional institutions within or out of the country.</p> <p>Notwithstanding the previous paragraph, the holders of mining concessions and contractors that engage in these operations may employ foreign executive, scientific, technical and expert personnel, in cases where it is necessary for the efficient development of the mining operations and subject to the following conditions:</p> <ol style="list-style-type: none"> 1. That foreign personnel does not exceed 25% of all the personnel used by the concessionaire nor the salaries that they receive exceed 25% of the total of salaries when engaged in mining operations covered by extraction, benefit or transport concessions; and

2. That foreign personnel does not exceed 25% of all the personnel used by a contractor nor the salaries that they receive exceed 25% of the total of salaries when the said foreign personnel carry out mining operations.

La Direccion General de Recursos Minerales shall establish the terms and conditions under which such foreign persons may be employed.

With the exception of holders of concessions for exploration or extraction of Class A minerals, all the other concessionaires shall also establish programs related to their mining operations in the country for the benefit of all non-specialized and semi-specialized workers, so that they can learn more efficient methods to carry out mining operations. The nature and scope of such training programs shall be reported annually to la Direccion General de Recursos Minerales.

Class A minerals are those found at twenty (20) meters depth, vertically measured from the surface, used normally and primarily for construction or as fertilizers, or those constituted as slag heap of abandoned mines.

Sector: Exploration and exploitation of non metallic minerals used as construction, ceramic, refractory and metallurgical materials

Type of Reservation: National Treatment (Articles 9.3)

Measures: Article 3 of Law No. 109 of October 8, 1973, by means of which the exploration and exploitation of non-metallic minerals used as construction materials, ceramics, refractory and metallurgical are regulated. Published in the Official Gazette No. 17,520 of January 25, 1974.

Article 7 of Law No. 32 of February 9, 1996, by means of which the Laws Nos. 55 and 109 of 1973 and Law No. 3 of 1988 are modified. Published in the Official Gazette No. 22,975 of February 14, 1996.

Description: Investment

Only natural persons who are Panamanian nationals and juridical persons organized or incorporated in Panama may apply to the Direccion General de Recursos Minerales del Ministerio de Comercio e Industrias for making contracts for the exploration and operation of limestone, sand, quarry stone, tufa, clay, gravel, debris, feldspar, plaster and other non-metallic minerals, used as construction, ceramic, refractory and metallurgical materials.

The following cannot operate, benefit from or enter into the contracts mentioned in the previous paragraph by themselves or by intermediaries:

1. Foreign governments, official or semi-official entities or institutions;
2. Juridical persons in which there is direct or indirect participation of any foreign government, except when the Executive Branch, upon a request previously submitted by the interested juridical person, decides otherwise.

Sector:	Fishing
Sub-sector:	Fish and other fishing products
Type of Reservation:	National Treatment (Articles 9.3 and 10.3) Local Presence (Article 10.6) Performance Requirements (Article 9.6)
Measures:	<p>Article 286 of the Fiscal Code of the Republic of Panama, approved by Law No. 8 of January 27, 1956, modified by the Law No. 20 of August 11, 1994, by means of which some articles of the Fiscal Code are modified and other provisions are adopted. Published in the Official Gazette No. 22,601 of August 16, 1994.</p> <p>Articles 5 and 6 of Decree Law No. 17 of July 9, 1959, by means of which rules for fishing are laid down and the export of fish products in the Republic of Panama is regulated. Published in the Official Gazette No. 13,909 of August 18, 1959.</p> <p>Article 1 of Decree No. 116 of November 26, 1980, by means of which modifications and additions are made to Decree No. 4 of March 12, 1965, regulating fishing in all the national territory, and Executive Decree No. 50 of July 19, 1972. Published in the Official Gazette No.19,217 of December 15, 1980.</p> <p>Article 3 of Executive Decree No. 124 of November 8, 1990, by means of which provisions for regulating the capture of shrimps are promulgated. Published in the Official Gazette No. 21,669 of November 20, 1990.</p> <p>Articles 4 and 7 of the Executive Decree No. 38 of June 15, 1992, by means of which fishing of Tuna in the jurisdictional waters of the Republic of Panama is regulated. Published in the Official Gazette No. 22,062 of June 23, 1992.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Only a Panamanian national or enterprise owned or controlled by Panamanian nationals may sell for consumption in Panama fish caught in the jurisdictional waters of Panama Panamanian nationals and juridical persons and foreigners with residence in the Republic of Panama can fish freely in the territorial sea, rivers, tidelands and lakes beaches and shorelines and uncultivated land, wherever fishing is legal and provided they possess the corresponding fishing license.</p> <p>Foreign juridical persons and natural persons not residing in Panama may only engage exclusively in fishing determined by regulatory Decrees of the fishing licenses. In no case will a fishing license be issued to a non resident foreigner to engage in shrimp, pearl and mother-of-pearl harvesting.</p> <p>Only a Panamanian-built vessel may perform commercial or industrial shrimp fishing in the jurisdictional waters of Panama.</p>

Coastal (manual) fishing permit will be issued only in favor of ships whose proprietor is a Panamanian.

Only a vessel owned by a Panamanian national or an enterprise organized under Panamanian law may fish for tuna in the jurisdictional waters of Panama in vessels with a capacity of less than 150 tons.

International tuna fishing vessels wishing to obtain a Tuna Fishing License to fish in Panamanian waters must use the services of legal shipping agencies domiciled in Panama.

Sector:	Activities related to fishing
Type of Reservation:	Local Presence (Article 10.6) Performance Requirements (Article 9.6)
Measures:	Articles 1 and 4 of the Executive Decree No.12 of April 17, 1991, by which measures on the location of the processing plants, storage and commercialization of shrimps and other marine species in industrial scale are dictated, in the Province of Panama. Published in the Official Gazette No.21,775 of April 29, 1991.
Description:	<u>Investment and Cross-Border Trade in Services</u> Companies wishing to process, store, and sell shrimp and other marine species on an industrial scale in the Province of Panama shall locate their facilities within the Vacamonte Fishing Port in the District of Arraijan, unless the facilities are located where farming operations take place.

Sector:	Guard services
Sub-sector:	Private security agencies
Type of Reservation:	National Treatment (Articles 9.3 and 10.3) Senior Management and Boards of Directors (Article 9.9)
Measures:	<p>Articles 4 and 10 of Executive Decree No. 21 of January 31, 1992, by means of which the functioning of private security agencies are regulated. Published in the Official Gazette No. 22,036 of May 18, 1992.</p> <p>Article 1 of Executive Decree No. 22 of January 31, 1992, by means of which the conditions of eligibility, rights and functions of watchmen and sworn security guards are regulated. Published in the Official Gazette No. 21,974 of February 14, 1992.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>To be included in the appropriate registry, security companies must meet the following requirements:</p> <ul style="list-style-type: none"> a) If the shareholders are natural persons, they must be Panamanian nationals; and b) If the shareholders are juridical persons, their directors and dignitaries will have to comply with the criteria set out in the entry on retail sales. <p>Personnel holding positions of head of security and sworn security guards must be Panamanian nationals. Each person of foreign nationality that the company wishes to employ shall obtain a prior special authorization from the Ministerio de Gobierno y Justicia without prejudice to the fulfillment of the prevailing law on the issuance of working permits to foreigners.</p>

Sector:	Advertising services
Type of Reservation:	National Treatment (Article 10.3)
Measures:	<p>Article 152 of Executive Decree No. 189 of August 13, 1999, by means of which the Law No. 24 of 1999 is regulated. Published in the Official Gazette No. 23,866 of August 18, 1999.</p> <p>Article 1 of Executive Decree No. 273 of November 17, 1999, by means of which the payment of quotas for the transmission of advertising announcements of foreign production is regulated. Published in the Official Gazette No. 23,931 of November 19, 1999.</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>The use of advertising announcements for television and cinematography produced in foreign countries must be dubbed in Spanish by Panamanian nationals possessing an announcer license. This use shall only be permitted through the payment of a fee according to the duration of transmission, projection and use.</p>

Sector:	Transport services
Sub-sector:	Passenger and freight road transport services
Type of Reservation:	National Treatment (Articles 9.3 and 10.3)
Measures:	<p>Article 2 of Law 19 of February 19, 1956, by means of which restrictions for the work of drivers are regulated and sanctions are imposed. Published in the Official Gazette No. 12,957 of May 16, 1956.</p> <p>Articles 30 and 34 of Law 34 of July 28, 1999 by means of which the Transit and Land Transport National Authority is regulated. Published in the Official Gazette No. 23,854 of August 2, 1999.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Concessions for public passenger transport services, lines, routes, terminals or work zones¹ may be awarded to Panamanian nationals and enterprises owned by Panamanian nationals. Operation certificates for these activities shall be granted only to Panamanian nationals.</p> <p>A passenger or freight vehicle driver must be a Panamanian national, a spouse of a Panamanian national, or a parent of a child born in Panama.</p>

¹ For purposes of this entry, work zones means an area or sector of a territory defined for the purpose of regulating public passenger transport services and its corresponding rates.

Sector: Maritime transport

Sub-sector: Pilotage

Type of Reservation: National Treatment (Article 10.3)

Measures: Article 6 of the Accord No.006-95 of May 31, 1995, by means of which the Executive Committee of the National Port Authority (today National Maritime Authority) establishes the new Regulation of Pilotage. Published in the Official Gazette No. 23,122 of September 13, 1996.

Description: Cross-Border Trade in Services

An apprentice of pilot must be a Panamanian national.

Sector:	Maritime transport
Type of Reservation:	National Treatment (Articles 9.3 and 10.3) Local Presence (Article 10.6)
Measures:	Articles 4, 15 and 18 of Decree Law No. 8 of February 26,1998, by means of which work in the sea and navigation routes is regulated and other dispositions are issued. Published in the Official Gazette No.23,490 of February 28, 1998.
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>All shipping companies using Panamanian-flagged vessels dedicated to international services will try, in equality of conditions and capacity, to give preference to Panamanian nationals, spouses of Panamanian nationals, or parents of children born in Panama for their crew.</p> <p>Associations of shipping companies with Panamanian flag will grant scholarships and facilities for training or qualification courses to crew who are Panamanian nationals, spouses of Panamanian nationals, or parents of children born in Panama.</p> <p>Foreign placement agencies operating or wishing to operate in Panama, shall designate at least a proxy of Panamanian nationality, residing in the national territory.</p>

Sector:	Transport
Sub-sector:	Air transport
Type of Reservation:	National Treatment (Article 9.3)
Measures:	Article 79 of Law No. 21 of January 29, 2003, by means of which the Civil aviation is regulated. Published in the Official Gazette No.24,731 of January 31, 2003.
Description:	<u>Investment</u> Only Panamanian nationals and enterprises majority owned by Panamanian nationals may operate international air transportation services under the Panamanian flag. At least 60% of the subscribed and paid-in capital of an enterprise organized under Panamanian law and engaged in domestic air transportation must be owned by Panamanian persons.

Sector:	Air transport auxiliary services
Type of Reservation:	National Treatment (Article 10.3)
Measures:	Article 45 of Law No. 21 of January 29, 2003, by means of which the Civil aviation is regulated. Published in the Official Gazette No.24,731 of January 31, 2003.
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Crew members and other aeronautical technical personnel, as well as persons who take care of the navigation of an airship such as pilots or other crew members and the persons on land in charge of the air traffic control, inspection, maintenance and repair of airships, motors or other equipment, or that serve as aircraft dispatchers, on the service of all the national aviation companies and in all the commercial and transportation airships with Panamanian registration, must be Panamanian nationals.</p> <p>Technical ground personnel of all foreign companies that operate in the country will be Panamanian nationals in the proportion prescribed by the relevant laws.</p>

Sector:	Professional services
Sub-sector:	Journalist
Type of Reservation:	National Treatment (Article 9.3) Senior Management and Boards of Directors (Article 9.9)
Measures:	Article 9 of Law No. 67 of September 19, 1978, by means of which the practice of the profession of journalists in the Republic of Panama is regulated. Published in the Official Gazette No. 18,672 of September 27, 1978.
Description:	<u>Investment</u> The owners, publishers, directors, editors in chief, deputy directors, managers and assistant managers of the domestic communication mass media should be Panamanian nationals. When the owners or publishers are juridical persons, their shareholders, partners, directors and officers must be Panamanian nationals.

Sector:	Professional services
Sub-sector:	Lawyers
Type of Reservation:	National Treatment (Article 9.3 and Article 10.3) Senior Management and Boards of Directors (Article 9.9)
Measures:	Article 16 of Law No. 9 of April 18, 1984, regulating the legal profession. Published in Official Gazette No. 20, 045 of April 27, 1984.
Description:	<p><u>Investment and Cross-Border Services</u></p> <p>Only a Panamanian national who holds a certificate of qualification issued by the Supreme Court may practice law in Panama. The practice of law in Panama includes judicial representation before civil, penal, labor, child welfare, electoral, administrative or maritime tribunal; the rendering of verbal or written legal advice; drafting of legal documents and contracts, and any other activity that requires a license to practice law in Panama.</p> <p>Law partnerships may be established only by lawyers qualified to practice law in Panama.</p>

Sector:	Professional services
Type of Reservation:	National Treatment (Article 10.3) Most-Favored-Nation Treatment (Article 10.4) Local Presence (Article 10.6)
Measures:	<p>Article 3 of Law No. 9 of April 18, 1984, regulating the legal profession. Published in Official Gazette No. 20,045 of April 27, 1984.</p> <p>Article 3 of Law No. 7 of April 14, 1981, regulating the profession of economist throughout Panama. Published in Official Gazette No. 19,311 of May 6, 1981.</p> <p>Articles 32, 33 and 34 of Decision No. 168 of July 25, 1988, approving the Regulations of the Technical Economic Council.</p> <p>Articles 4, 7 and 9 of Law No. 57 of September 1, 1978, regulating the profession of authorized public accountant. Published in Official Gazette No. 18,673 of September 8, 1978.</p> <p>Articles 9 and 10 of Law No. 67 of September 19, 1978, regulating the practice of the journalism profession in the Republic of Panama. Published in Official Gazette No. 18,672 of September 27, 1978.</p> <p>Article 3 of Law No. 37 of October 22, 1980, regulating the profession of public relations specialist. Published in Official Gazette No. 19,186 of October 28, 1980.</p> <p>Article 2 of Law No. 56 of September 16, 1975, regulating the practice of psychology throughout Panama. Published in Official Gazette No. 17,948 of October 15, 1975.</p> <p>Article 29-A of Executive Order No. 14 of August 27, 1954, modifying Law No. 134 of April 27, 1943, the Law Establishing the Social Security Fund, which was modified by Law No. 30 of December 26, 1991. Published in Official Gazette No. 21,943 of December 31, 1991.</p> <p>Articles 2 and 3 of Law No. 1 of January 3, 1996, regulating the profession of sociology and establishing other provisions. Published in Official Gazette No. 20,945 of January 5, 1996.</p> <p>Article 3 of Law No. 17 of July 23, 1981, repealing Executive Order No. 25 of September 25, 1963 and establishing other provisions on the profession of social worker throughout Panama. Published in Official Gazette No. 19,371 of July 29, 1981.</p> <p>Article 3 of Law No. 20 of October 9, 1984, regulating the library sciences profession and creating the Technical Library Sciences Board. Published in Official Gazette No. 20,164 of October 17, 1984.</p> <p>Article 2,141 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. Published in Official Gazette No. 23,601 of August</p>

5, 1998.

Article 1, Chapter 2 of Decision No. 036-JD of December 22, 1986, adopting the Licensing Regulations for Aeronautic Personnel. Published in Official Gazette No. 20,794 of May 6, 1987.

Article 642 of Fiscal Code of the Republic of Panama, approved by Law No. 8 of January 27, 1956, modified by Law No. 20 of August 11, 1994, which modifies certain Fiscal Code articles and adopts other provisions. Published in Official Gazette No. 22,601 of August 16, 1994.

Articles 3 and 4 of Executive Order No. 6 of July 8, 1999, regulating the profession of real estate agent and creating the Technical Real Estate Board under the Ministry of Commerce and Industry. Published in Official Gazette No. 23,837 of July 10, 1999.

Article 198 of Law No. 23 of July 15, 1997, approving the Marrakesh Agreement, creating the World Trade Organization; Panama's Accession Protocol to said Agreement along with its annexes and schedules of commitments; adjusting internal legislation to international standards, and decreeing other provisions. Published in Official Gazette No. 23,340 of July 26, 1997.

Articles 2, 3 and 4 of Law No. 22 of January 30, 1961, establishing provisions related to the provision of professional agricultural services. Published in Official Gazette No. 14,341 of March 3, 1961.

Articles 1, 2, 3, 5 and 24 of Law No. 15 of January 26, 1959, regulating the professions of engineering and architecture. Published in Official Gazette No. 13,772 of February 28, 1959.

Article 4 of Law No. 53 of February 4, 1963, amending and supplementing Law No. 15 of January 26, 1959 and repealing Law No. 46 of April 30, 1941. Published in Official Gazette No. 14,811 of February 6, 1963.

Article 1 of Executive Order No. 257 of September 3, 1965, establishing implementing regulations for Law No. 15 of 1959. Published in Official Gazette No. 15,499 of November 19, 1965.

Articles 4 and 16 of Cabinet Decree No. 362 of November 26, 1969, regulating the professions of nutritionist and dietician throughout Panama. Published in Official Gazette No. 16,499 of December 4, 1969.

Article 5 of Law No. 34 of October 9, 1980, regulating the professions of phono-audiologist, speech and language therapist, and audiometrician or audiology technician in Panama. Published in Official Gazette No. 19,177 of October 15, 1980.

Articles 1 and 8 of Law No. 3 of January 11, 1983, repealing Law No. 27 of October 18, 1957 and establishing measures

on the practice of veterinary medicine throughout Panama. Published in Official Gazette No. 19,735 of January 20, 1983.

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. Published in Official Gazette No.16,639 of July 3, 1970.

Article 10 of Cabinet Decree No. 16 of January 22, 1969, regulating medical interns, residents, specialists, and dentists and creating the positions of General Practitioner and Medical Consultant. Published in Official Gazette No. 16,297 of February 11, 1969.

Decision 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. Published in Official Gazette No. 20,741 of February 14, 1987.

Articles 3 and 4 of Executive Order No. 32 of February 17, 1975, regulating the profession of medical assistant. Published in Official Gazette No. 19,451 of November 25, 1981.

Article 1 of Law No. 22 of February 9, 1956, establishing several provisions on the practice of odontology in Panama. Published in Official Gazette No. 12,958 of May 17, 1956.

Article 10 of Cabinet Decree No. 16 of January 22, 1969, regulating medical interns, residents, specialists, and odontologists and creating the positions of General Practitioner and Medical Consultant. Published in Official Gazette No. 16,297 of February 11, 1969.

Article 3 of Decision No. 1 of March 14, 1983, approving the Regulations for Odontological Specializations. Published in Official Gazette No. 20,709 of December 29, 1986.

Article 2 of Law No. 21 of August 12, 1994, regulating the profession of dental assistant in Panama and establishing other provisions. Published in Official Gazette No. 22,601 of August 16, 1994.

Article 197 of Law No. 66 of November 10, 1947, approving the Health Code. Published in Official Gazette No. 10,467 of December 6, 1947.

Article 9 of Law No. 1 of January 6, 1954, regulating the nursing profession and giving it stability and a pension. Published in Official Gazette No. 12,295 of February 12, 1954.

Article 3 of Law No. 74 of September 19, 1978, regulating the profession of clinical laboratory worker. Published in Official Gazette No. 18,680 of October 9, 1978.

Article 4 of Law No. 48 of November 22, 1984, regulating the pay scale for assistants and support personnel working in clinical labs run by the Ministry of Health and the Social Security Fund and Foundation and regulating this profession.

Published in Official Gazette No. 20,197 of December 4, 1984.

Articles 7, 13 and 15 of Law No. 47 of November 22, 1984, regulating the practice of physiotherapy and/or kinesiobiology in Panama and giving it stability. Published in Official Gazette No. 20,195 of November 30, 1984.

Article 2 of Executive Order No. 8 of April 20, 1967, regulating the profession of chiropractor in Panama. Published in Official Gazette No. 15,856 of May 2, 1967.

Article 6 of Law No. 42 of October 29, 1980, establishing the Regulations pertaining to the profession of medical radiology technician in Panama. Published in Official Gazette No. 19,195 of November 12, 1980.

Article 6 of Law No. 13 of August 23, 1984, establishing and regulating 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). Published in Official Gazette No. 20,133 of August 31, 1984.

Decision No. 1 of April 15, 1985, regulating the professions of orthopedic and nuclear medicine technicians. Published in Official Gazette No. 20,705 of December 28, 1986.

Decision No. 2 of June 1, 1987, recognizing the professions of neurophysiology technician, encephalographic technician, and electro-neurography or evoked potentials technician. Published in Official Gazette No. 20,024 of April 8, 1988.

Decision No. 1 of February 8, 1988, defining the profession of occupational health technician. Published in Official Gazette No. 21,076 of July 22, 1988.

Article 2 of Decision No. 10 of March 24, 1992, recognizing the profession of respiratory therapy technician or respiratory inhalotherapy technician. Published in Official Gazette No. 22,043 of May 17, 1992.

Article 3 of Decision No. 19 of November 12, 1991, recognizing the profession of prosthetic-orthotic technician. Published in Official Gazette No. 21,952 of January 15, 1992.

Article 2 of Decision No. 7 of December 15, 1992, regulating the practice of histology and the professions of histology assistant and cytology assistant. Published in Official Gazette No. 22,215 of January 29, 1993.

Article 2 of Decision No. 50 of September 14, 1993, recognizing the profession of radiological health technician. Published in Official Gazette No. 22,471 of February 8, 1994.

Article 2 of Decision No. 1 of January 21, 1994, recognizing the profession of cardiovascular perfusion technician. Published in Official Gazette No. 22,472 of February 9, 1994.

Article 2 of Decision No. 2 of January 25, 1994, recognizing the professions of technician and assistant technician in medical information technology. Published in Official Gazette No. 22,472 of February 9, 1994.

Article 2 of Decision No. 4 of June 10, 1996, recognizing the profession of assistant technician in medical radiology. Published in Official Gazette No. 23,083 of July 19, 1996.

Article 3 of Decision No. 5 of June 10, 1996, by which the Ministry of Health recognizes the profession of emergency medical technician. Published in Official Gazette No. 23,083 of July 19, 1996.

Article 3 of Decision No.1 of May 25, 1998, recognizing the profession of specialist in emergency surgery. Published in Official Gazette No. 23,565 of June 16, 1998.

Article 3 of Decision No. 2 of May 25, 1998, recognizing the profession of technician in human genetics. Published in Official Gazette No. 23,565 of June 16, 1998.

Article 35 of Law No. 24 of January 29, 1963, creating the National Pharmaceutical Board and regulating pharmaceutical establishments. Published in Official Gazette No. 14,806 of January 30, 1963.

Article 11 of Law No. 45 of August 7, 2001, regulating the profession of chemist. Published in Official Gazette No. 24,363 of August 9, 2001.

Article 5 of Law No. 4 of January 23, 1956, creating the Technical Commission and regulating the professions of barber and cosmetologist. Published in Official Gazette No. 12,935 of April 19, 1956.

Article 4 of Law No. 15 of January 22 of 2003, recognizing the profession of Orthopedic and Traumatology Technologist. Published in Official Gazette No. 24,728 of January 28 of 2003.

Description:

Cross-Border Trade in Services

Persons practicing the professions listed under the following heading, "Measures," must be Panamanian nationals.

Only companies registered in the Junta Técnica de Ingeniería y Arquitectura can execute engineering and architectural works or be dedicated to such activities in Panama. For that reason, those enterprises must be domiciled in Panama, unless they are covered by international agreements, and the persons responsible for the works are professionals with competence to practice in Panama.

Sector:	Agriculture
Type of Reservation:	Market Access (Article 10.5)
Measures:	Law 37 of September 21, 1962 approving the Agricultural Code of the Republic of Panama. Published in Official Gazette N° 14,923 of July 22, 1963.
Description:	<p><u>Cross Border Trade in Services</u></p> <p>Agricultural colonies are created as a way to promote production, population centres, to avoid the movement of peasants to other regions, to promote the integration of different regional groups in the country, to raise the standard of life of farmers and to take advantage of the collective energies of the community.</p> <p>An agricultural colony must always maintain a minimum proportion of 50% Panamanian families.</p>

Sector: Telecommunications

Type of Reservation: Market Access (10.5)

Measures: Law No. 17 of July 9, 1991.

Law No. 5 of February 9, 1995, by means of which the National Institute of Telecommunications is restructured. Published in the Official Gazette No.22,724 of February 14, 1995.

Law No. 31 of February 8, 1996, by means of which norms for the regulation of telecommunications in Panama are issued. Published in the Official Gazette No.22,971 of February 9, 1996. Modified and supplemented by the Law No. 24 of June 30, 1999 Published in the Official Gazette No. 23,832 of July 5, 1999.

Executive Decree No. 73 of April 9, 1997, General Regulation of Telecommunications in Panama. Published in the Official Gazette No. 23,263 of April 10, 1997.

Regulation JD-025 of December 12, 1996, that define the services of telecommunications types A and B in Panama. Published in the Official Gazette No.23,183 of December 13, 1996. Modified by the Regulation JD-1844 of February 15, 2000. Published in Official Gazette No. 23,995 of February 21, 2000.

Regulation JD-080 of April 10, 1997.

Concession Contract No. 30 of January 30, 1996, between the State and BSC. Public procurement No.2-96 of January 31, 1996. Published in the Official Gazette No. 23,054 of June 30, 1997.

Concession Contract No.134 of May 29, 1997 between the State and Instituto Nacional de Telecomunicaciones, S.A. (INTEL, S.A.). Public procurement No. 06-96 of May 29, 1997. Official Gazette No. 23,311 of June 17, 1997.

Concession Contract No. 309 of October 24, 1997 between the State and Cable Wireless Panama, S.A. Official Gazette No. 23,440 of December 17, 1997.

Description: Cross Border Trade in Services:

Cellular mobile telephone services shall be provided exclusively on Bands A and B by Bellsouth Panama S.A. and Cable & Wireless (Panama), S.A., for a period of 20 years starting from the date when the relative contracts of concession enter into force.

From October 25, 2008, it shall be possible to authorize at least one and up to two (2) concessions for personal communications services.

Sector:	Telecommunications
Type of Reservation:	Local Presence (Article 10.6)
Level of Government:	Central
Measures:	Law No. 31 of February 8, 1996. Executive Decree No.73 of April 9, 1997.
Description:	<u>Cross-Border Services</u> Telecommunication services supplied directly to users in Panama may only be supplied by persons domiciled in Panama.

Sector:	Hotels and restaurants services
Type of Reservation:	Market Access (Article 10.5)
Measures:	Law No. 55 of July 10, 1973, by means of which the administration, supervision and collection of various revenues are regulated. Published in the Official Gazette No. 17,397 of July 26, 1973.
Description:	<u>Cross-Border Trade in Services</u> No license for operating new bars will be granted in the towns of the Districts of Panama and Colon, and in the other Districts of the Republic when the number of existing bars in such areas exceed the proportion of one per one thousand inhabitants according to the latest official population census.

Sector:	Post office and telegraphs
Type of Reservation:	Market Access (Article 10.5) National Treatment (Article 9.3)
Measures:	<p>Article 301 of the Fiscal Code of the Republic of Panama, approved by means of Law No.8 of January 27, 1956, modified by the Law No. 20 of August 11, 1994, by means of which some articles of the Fiscal Code are modified and other provisions are adopted. Published in the Official Gazette No.12,995 of June 29, 1956.</p> <p>Decree No. 30 of February 8, 1991, by means of which measures related to receiving, transporting, dispatching and delivering international extra-postal urgent mail (parallel mail) are issued. Published in the Official Gazette No.21,736 of March 4, 1991.</p>
Description:	<p><u>Investment and Cross-Border Trade in Services:</u></p> <p>Post office and telegraph services must be provided exclusively by the State.</p>

Sector:	Games of luck and chance
Type of Reservation:	Market Access (Article 10.5) National Treatment (Article 9.3)
Measures:	Article 297 of the Political Constitution of the Republic of Panama of 1972 (includes the reforms and the Constitutional Act of 1983).
Description:	<u>Investment and Cross-Border Trade in Services:</u> The operation of games of luck and chance and other gambling activities may only be operated by the State.

Sector:	Ports and Airports
Type of Reservation:	Market Access (Article 10.5) Local Presence (Article 10.6)
Measures:	Decree Law N° 7 of February 10, 1998, “by which the Maritime Authority of Panama is created, different public maritime dependencies are unified and other issues are regulated. Official Gazette 23,484 of February 17, 1998. Law N° 23 of January 29, 2003, “by which the regulatory framework of airport administration of Panama is created”. Official Gazette 24,731 of January 31, 2003.
Description:	<u>Cross- Border Trade in Services</u> The Executive Branch 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.