

**Draft as of January 19, 2007**  
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**Annex I**  
**List of Panama**

<b>Sector:</b>	Retail Sales
<b>Obligations Concerned:</b>	National Treatment (Article 10.3) Senior Management and Boards of Directors (Article 10.10)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Article 288 of the 1972 Constitution.  Article 16 of Executive Decree 35 of May 24, 1996.
<b>Description:</b>	<u>Investment</u>  1. Only the following persons may own a retail business in Panama:  (a) a Panamanian national by birth;  (b) a natural person who, on the date of entry into force of the 1972 Constitution was a naturalized Panamanian national, the spouse of a Panamanian national, or a natural person who had a child with a Panamanian national;  (c) a natural person who has been a naturalized Panamanian national for at least three years;  (d) a foreign national or a juridical person organized under the law of a foreign country that owned a lawful retail business in Panama on the date of entry into force of the 1972 Constitution; and  (e) a juridical person, whether organized under the laws of Panama or any other country, if ownership of that person is held by natural persons described in subparagraph (a), (b), (c), or (d), as set out in paragraph 5 of Article 288 of the Constitution.  2. Notwithstanding paragraph 1(e), a foreign national may own a juridical person engaged in retail commerce if

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(a) the products sold by the juridical person in retail commerce are exclusively products that are produced at its direction and bear its label, or

(b) the juridical person is engaged primarily in the sale of a service, and the products that it sells are necessarily associated with the sale of that service,

3. Senior managers and directors of a retail business must meet the same nationality requirements as owners of a retail business.

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**Sector:** Real Property

**Obligations Concerned:** National Treatment (Article 10.3)

**Level of Government:** Central

**Measures:** Articles 285 and 286 of the 1972 Constitution.

**Description:** Investment

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.

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**Sector:** Public Utilities

**Obligations Concerned:** National Treatment (Article 10.3)

**Level of Government:** Central

**Measures:** Article 280 of the 1972 Constitution.

**Description:** Investment

Panama may require that up to one hundred per cent of the capital of a private enterprise operating a public utility be owned by Panamanian persons. However, Panama may provide exceptions to the preceding sentence by law.

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**Sector:** Supply of Potable Water

**Obligations Concerned:** National Treatment (Article 10.3)  
Senior Management and Board of Directors (Article 10.10)

**Level of Government:** Central

**Measures:** Article 280 of the 1972 Constitution.

**Description:** Investment

If Panama allows private equity investment in an enterprise supplying potable water to the public, it may require that up to one hundred per cent of the capital of such an enterprise be owned by Panamanian persons. Panama may require that the senior managers and members of the board of directors of such an enterprise be Panamanian nationals.

However, Panama may provide exceptions to the preceding paragraph by law.

For greater certainty, this reservation does not apply to the supply of bottled water.

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**Sector:** All Sectors

**Obligations Concerned:** National Treatment (Article 11.2)

**Level of Government:** Central

**Measures:** Article 316 of the 1972 Constitution.

Article 86 of Law No. 19 of June 11, 1997.

**Description:** Cross-Border Services

Preference shall be given to Panamanian nationals over foreign nationals for contractual positions within the Panama Canal Authority. In the event that all applicants for a position are foreign nationals, preference shall be given to those foreign nationals with Panamanian spouses or those foreign nationals who have lived in Panama for ten consecutive years.

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**Sector:** Travel Agencies

**Obligations Concerned:** National Treatment (Articles 10.3 and 11.2)

**Level of Government:** Central

**Measures:** Article 2 of Law No. 73 of December 22, 1976.

**Description:** Cross-Border Services and Investment

Travel agencies are those enterprises that serve as intermediaries between travelers and the suppliers of the services they consume. To engage in these activities 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.

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<b>Sector:</b>	Transmission of Radio and Television Programs
<b>Obligations Concerned:</b>	National Treatment (Articles 10.3 and 11.2) Most-Favored-Nation Treatment (Article 11.3) Senior Management and Boards of Directors (Article 10.10)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Article 280 of the 1972 Constitution.  Articles 14 and 25 of Law No. 24 of June 30, 1999.  Articles 152 and 161 of Executive Decree No. 189.
<b>Description:</b>	<p><u>Cross-Border Services and Investment</u></p> <p>A concession to operate a public radio or public television station in Panama may be granted to a natural person or an enterprise. In the case of a natural person, the concessionaire must be a Panamanian national. In the case of an enterprise, at least 65 percent of the shares of the concessionaire must be owned by Panamanian nationals.</p> <p>Each of the senior managers and directors of an enterprise operating a public radio or public television station must be a Panamanian national.</p> <p>Under no circumstances may a foreign government or a foreign state enterprise supply, by itself or through a third party, public radio or public television services or hold a controlling interest, directly or indirectly, in an enterprise that supplies such services.</p> <p>Concessionaires of public radio or public television services may not broadcast any type of advertisement originating within Panama containing announcements made by announcers who do not have a license issued by the Ente Regulador de los Servicios Públicos. Such licenses may only be obtained by Panamanian nationals and nationals of other countries that have granted reciprocal rights to Panamanian nationals.</p>



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**Sector:** Telecommunication Services

**Obligations Concerned:** National Treatment (Article 10.3)

**Level of Government:** Central

**Measures:** Article 21 of Law No. 31 of February 8, 1996.

**Description:** Investment

No enterprise that is directly or indirectly owned or controlled by a foreign government or in which a foreign government is a partner may supply telecommunications services in the territory of Panama.

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**Sector:** Education

**Obligations Concerned:** National Treatment (Article 11.2)

**Level of Government:** Central

**Measures:** Article 96 of the 1972 Constitution.

**Description:** Cross-Border Services

Only Panamanian nationals may teach Panamanian history and civic education in the territory of Panama.

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<b>Sector:</b>	Electric Power
<b>Obligations Concerned:</b>	Market Access (Article 11.5)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Articles 32, 45 and 46 of Law No. 6 of February 3, 1997.
<b>Description:</b>	<u>Cross-Border Services</u>  Electric power transmission services in the territory of Panama may be supplied only by the Government of Panama.  Electric power distribution services in the territory of Panama shall be supplied by three enterprises for a period of fifteen years, under concessions granted by the <i>Ente Regulador de los Servicios Publicos</i> . This period started on October 22, 1998.

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**Sector:** Crude Petroleum, Hydrocarbons, and Natural Gas

**Obligations Concerned:** Local Presence (Article 11.4)

**Level of Government:** Central

**Measures:** Articles 21, 25, 26 and 71 of Law No. 8 of June 16, 1987.

**Description:** Cross-Border Services

When a foreign enterprise is awarded a concession to explore for, exploit, refine, transport, store, market, or export petroleum, hydrocarbons, or natural gas, it must establish an enterprise in Panama.

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<b>Sector:</b>	Operation of Mines
<b>Sub-sector:</b>	Extraction of Non-metallic, Metallic (Except Precious Minerals) Minerals, Precious Alluvial Minerals, Precious Non-Alluvial Minerals, Fuel Minerals (Except Hydrocarbons) and Reserve Minerals and Related Services
<b>Obligations Concerned:</b>	National Treatment (Article 10.3)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Articles 4, 5, 130, 131, 132 and 135 of Decree Law No. 23 of August 22, 1963.  Article 11 of Law No. 3 of January 28, 1988.
<b>Description:</b>	<u>Investment</u>  No foreign government or foreign state enterprise may obtain a mining concession.

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**Sector:** Exploration and Exploitation of Non-Metallic Minerals  
Used As Construction, Ceramic, Refractory and  
Metallurgical Materials

**Obligations Concerned:** National Treatment (Article 10.3)

**Level of Government:** Central

**Measures:** Article 3 of Law No. 109 of October 8, 1973.  
  
Article 7 of Law No. 32 of February 9, 1996.

**Description:** Investment

Only a Panamanian national or an enterprise organized under Panamanian law may obtain a contract for the exploration and exploitation of limestone, sand, quarry stone, tufa, clay, gravel, debris, feldspar, plaster and other non-metallic minerals.

Except as authorized by the Panamanian government, no foreign state enterprise may obtain such a contract.

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<b>Sector:</b>	Fishing
<b>Obligations Concerned:</b>	National Treatment (Articles 10.3) Performance Requirements (Article 10.9)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Article 286 of Law No. 8 (the Fiscal Code of the Republic of Panama), of January 27, 1956.  Law No. 8 of January 27, 1956.  Law No. 20 of August 11, 1994.  Articles 5 and 6 of Decree Law No. 17 of July 9, 1959.  Article 1 of Decree No. 116 of November 26, 1980.  Article 3 of Executive Decree No. 124 of November 8, 1990.  Articles 4 and 7 of the Executive Decree No. 38 of June 15, 1992  Article 1 of Decree No. 71 of October 20, 1992.  Administrative Resolution 003 of January 7, 2004
<b>Description:</b>	<u>Investment</u>  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.  Only a Panamanian-built vessel may perform commercial or industrial shrimp fishing in the jurisdictional waters of Panama.  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.

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Only a vessel owned by a Panamanian national or an enterprise organized under Panamanian law may obtain a license for coastal (manual) fishing.

Only a Panamanian-flagged vessel that is at least 75 percent owned by a Panamanian national or an enterprise organized under Panamanian law and that is engaged in international tuna trade within the jurisdictional waters of Panama may obtain a tuna fishing license for a preferential fee.

Under Panamanian Law, jurisdictional water consists of the contiguous zone, territorial sea, continental shelf, aguas archipelagas (insular waters) and interior waters.



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<b>Sector:</b>	Activities Related To Fishing
<b>Obligations Concerned:</b>	Local Presence (Article 11.4)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Articles 1 and 4 of the Executive Decree No. 12 of April 17, 1991.  Articles 4 and 7 of the Executive Decree No. 38 of June 15, 1992.
<b>Description:</b>	<u>Cross-Border Services</u>  An industrial enterprise in the business of storing or selling shrimp or other marine species must locate its facilities in the Vacamonte Fishing Port, in the District of Arraijan, unless the facilities are located where farming operations occur.  International tuna fishing vessels must use the services of legal shipping agencies domiciled in Panama in order to obtain a license to fish for tuna in Panamanian jurisdictional waters.

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<b>Sector:</b>	Private Security Agencies
<b>Obligations Concerned:</b>	National Treatment (Articles 10.3 and 11.2) Senior Management and Boards of Directors (Article 10.10)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Articles 4 and 10 of Executive Decree No. 21 of January 31, 1992.  Article 1 of Executive Decree No. 22 of January 31, 1992.
<b>Description:</b>	<u>Cross-Border Services and Investment</u>  The owners of a security company must be Panamanian nationals. In addition, in order to be a member part of the board of directors, a person must meet the criteria for ownership of a retail business, as set out in the entry for retail sales.  Only a Panamanian national may hold the position of head of security or security guard in the territory of Panama. Foreign nationals engaged by a security company in the territory of Panama must obtain prior authorization from the Panamanian government.

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**Sector:** Transport Services - Passenger and Freight Road Transport Services

**Obligations Concerned:** National Treatment (Articles 10.3 and 11.2)

**Level of Government:** Central

**Measures:** Article 2 of Law 19 of February 19, 1956.

Articles 30 and 34 of Law 34 of July 28, 1999.

**Description:** Cross-Border Services and Investment

Concessions for public passenger transport services, lines, routes, terminals or work zones<sup>1</sup> may be awarded only to Panamanian nationals and enterprises owned by Panamanian nationals. Operation certificates for these activities shall be granted only to Panamanian nationals.

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.

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<sup>1</sup> For purposes of this entry “work zone” means an area or sector of a territory defined for the purpose of regulating public passenger transport services and corresponding rates.

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**Sector:** Maritime Transport - Pilotage

**Obligations Concerned:** National Treatment (Article 11.2)

**Level of Government:** Central

**Measures:** Article 6 of the Accord No.006-95 of May 31, 1995.  
Article 44 of Ruling No. 020-2003 of August 14, 2003.

**Description:** Cross-Border Services

Only Panamanian nationals may be apprentice pilots, which is a prerequisite for being licensed as a canal or port pilot. However, foreign nationals who received a canal pilot license prior to 1999 may continue to supply services.

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<b>Sector:</b>	Maritime Transport
<b>Obligations Concerned:</b>	National Treatment (11.2) Local Presence (Article 11.4)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Articles 4 and 18 of Decree Law No. 8 of February 26, 1998.
<b>Description:</b>	<u>Cross-Border Services</u>  Owners of Panamanian-registered vessels dedicated to international service must give preference to Panamanian nationals, spouses of Panamanian nationals, and parents of children residing in Panama in engaging contractual service suppliers.  A manning company operating in Panama shall designate a Panamanian national residing in Panama and registered with the Mercantile Registry to act as a representative of the company in all judicial, extra-judicial and administrative affairs.

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**Sector:** Air Transport

**Obligations Concerned:** National Treatment (Article 10.3)

**Level of Government:** Central

**Measures:** Article 79 of Law No. 21 of January 29, 2003.

**Description:** Investment

Only Panamanian nationals and enterprises majority-owned by Panamanian nationals may operate international air transportation services under the Panamanian flag. At least 60 percent 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.

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**Sector:** Specialty Air and Aircraft Repair and Maintenance Services

**Obligations Concerned:** National Treatment (Article 11.2)

**Level of Government:** Central

**Measures:** Article 45 of Law No. 21 of January 29, 2003.

**Description:** Cross-Border Services

In the supply of specialty air services by Panamanian-registered aircraft or the repair and maintenance of such aircraft, only Panamanian nationals may hold the following positions:

- (a) crew members and other aeronautical technical personnel;
- (b) pilots;
- (c) persons in charge of inspection, maintenance and repair of aircraft, motors or another equipment.

Panama reserves the right to limit the proportion of foreign nationals to be employed as technical ground personnel.

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<b>Sector:</b>	Publishing
<b>Obligations Concerned:</b>	National Treatment (Article 10.3) Senior Management and Boards of Directors (Article 10.10)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Article 9 of Law No. 67 of September 19, 1978.
<b>Description:</b>	<p><u>Investment</u></p> <p>With respect to an enterprise established in Panama that produces a print publication, such as a newspaper or magazine, that is part of the Panamanian communications massmedia:</p> <ul style="list-style-type: none"><li>a) 100 per cent of the ownership of the enterprise must be held, directly or indirectly, by Panamanian nationals; and</li><li>b) the managers of the enterprise, including its publishers, editors-in-chief, deputy directors, and assistant managers, must be Panamanian nationals.</li></ul>



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<b>Sector:</b>	Professional Services - Lawyers
<b>Obligations Concerned:</b>	National Treatment (Articles 10.3 and 11.2) Senior Management and Boards of Directors (Article 10.10)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Article 3 and 16 of Law No. 9 of April 18, 1984.
<b>Description:</b>	<u>Cross-Border Services and Investment</u>

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.

Law partnerships may be established only by lawyers competent to practice law in Panama.

However, to the extent permitted by the express terms of international agreements, a lawyer who is a foreign national may provide advice with regard to international law and the law of the jurisdiction in which that lawyer is licensed to practice. This provision of advice shall not include representation before tribunals, courts, or judicial, administrative or maritime authorities in the territory of Panama.

Panama agrees that nationals of the United States who are licensed to practice law in the United States may engage in cross-border supply of services described in the preceding paragraph, subject to the restriction set out in that paragraph, and may establish such services, subject to such restriction.

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<b>Sector:</b>	Professional Services - Accountants
<b>Obligations Concerned:</b>	National Treatment (Article 11.2) Market Access (Article 11.4)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Articles 4, 7, 9 and 10 of Law 57 of September of 1978.
<b>Description:</b>	<u>Cross-Border Services</u>

Except as provided below, only Panamanian nationals who have obtained their Authorized Public Accountant license and juridical persons who meet the requirements of the above-referenced law may practice the profession of Authorized Public Accountant.

A U.S. national licensed to practice accounting in a jurisdiction of the United States shall be allowed to apply for a license to practice accounting in Panama to the extent that the U.S. jurisdiction would allow a Panamanian national to apply for such a license. In such cases, the U.S. national shall be subject to the same requirements to receive a license as Panama would apply to an equivalently qualified Panamanian national.

In addition, the Accounting Technical Board may grant a special permit for a foreign accountant to practice accounting:

- (a) if the foreign accountant is licensed in a jurisdiction that allows a Panamanian accountant to practice subject to conditions no more burdensome than those required under Panamanian law.;
- (b) as an internal auditor employed by an enterprise, a foreign banking entity with subsidiaries or branches in Panama, or a public international law organizations;
- (c) if the foreign accountant has proven that, at that moment, there are no Panamanian accountants available for the particular type of service that the foreign accountant seeks to supply; or
- (d) if the foreign accountant is married to a Panamanian or has been a resident of Panama for at least ten years.

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However this special permit does not authorize a foreign national to provide official certifications or attestations.

Foreign enterprises may practice the profession only in association with a Panamanian accountancy enterprise.

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<b>Sector:</b>	Professional Services – Architects and Engineers
<b>Obligations Concerned:</b>	National Treatment (Article 11.2) Most-Favored-Nation Treatment (Article 11.3) Local Presence (Article 11.4)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Articles 1, 2, 3, 4 and 24 of Law 15 of January 26, 1959.  Article 4 of Law 53 of February 4, 1963.  Articles 1 and 3 of Decree 257 of September 3, 1965.
<b>Description:</b>	<p><u>Cross-Border Services</u></p> <p>Only holders of a certificate of qualification issued by the <i>Junta Técnica de Ingenieros y Arquitectos</i> may practice as engineers or architects. The <i>Junta Técnica</i> may grant such a certificate to:</p> <ul style="list-style-type: none"><li>(a) a Panamanian national,</li><li>(b) a foreign national who is married to a Panamanian national or who is the parent of a children who is a Panamanian national, or</li><li>(c) a foreign national who is licensed to practice in a jurisdiction that allows Panamanian nationals to practice as engineers or architects under the same conditions.</li></ul> <p>The <i>Junta Técnica</i> may also authorize a state or private enterprise to contract with an architect or engineer who is a foreign national for up to 12 months if there is no Panamanian qualified to supply the service in question. In that case, the enterprise must employ a qualified Panamanian national during the period of the contract who will replace the foreign national when the contract ends.</p> <p>Only enterprises registered with the <i>Junta Técnica</i> may supply engineering or architectural services in Panama. To register:</p> <ul style="list-style-type: none"><li>(a) The enterprise must have a corporate domicile in Panama, unless an international agreement provides otherwise; and</li></ul>

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- (b) the persons employed by the enterprise who are responsible for supplying the services must be qualified to perform those services in Panama.

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**Sector:** Professional Services

**Obligations Concerned:** National Treatment (Article 11.2)  
Most-Favored-Nation Treatment (Article 11.3)  
Local Presence (11.5)

**Level of Government:** Central

**Measures:** Article 3 of Law No. 7 of April 14, 1981.  
Articles 32, 33 and 34 of Decision No. 168 of July 25, 1988.  
Articles 9 - 11 of Law No. 67 of September 19, 1978.  
Article 3 of Law No. 37 of October 22, 1980.  
Article 2 of Law No. 56 of September 16, 1975.  
Article 29-A of Executive Order No. 14 of August 27, 1954.  
Articles 2 and 3 of Law No. 1 of January 3, 1996  
Article 3 of Law No. 17 of July 23, 1981.  
Article 3 of Law No. 20 of October 9, 1984.  
*Código Administrativo*, Article 2,141  
Article 1, Chapter 2 of Decision No. 036-JD of December 22, 1986  
*Código Fiscal*, Article 642(a).  
Articles 3 and 4 of Executive Order No. 6 of July 8, 1999.  
Article 198 of Law No. 23 of July 15, 1997  
Articles 2, 3 and 4 of Law No. 22 of January 30, 1961.  
Articles 4 and 16 of Cabinet Decree No. 362 of November 26, 1969.  
Article 5 of Law No. 34 of October 9, 1980.  
Articles 1 and 8 of Law No. 3 of January 11, 1983.  
Article 1 of Cabinet Decree No. 196 of June 24, 1970.  
Decision No. 1 of January 26, 1987.  
Articles 3 and 4 of Decree No. 32 of February 17, 1975.  
Article 1 of Law No. 22 of February 9, 1956.  
Article 10 of Cabinet Decree No. 16 of January 22, 1969.  
Article 3 of Decision No. 1 of March 14, 1983.  
Article 2 of Law No. 21 of August 12, 1994.  
*Código Sanitario*, Articles 37, 108, 197, and 198. Article 9 of Law No. 1 of January 6, 1954.  
Article 3 of Law No. 74 of September 19, 1978.  
Article 4 of Law No. 48 of November 22, 1984.  
Articles 7, 13 and 15 of Law No. 47 of November 22, 1984.  
Article 2 of Decree Law No. 8 of April 20, 1967.  
Article 6 of Law No. 42 of October 29, 1980.  
Article 6 of Law No. 13 of August 23, 1984.  
Decision No. 1 of April 15, 1985.  
Decision No. 2 of June 1, 1987.

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Decision No. 1 of February 8, 1988.  
Article 2 of Decision No. 10 of March 24, 1992.  
Article 3 of Decision No. 19 of November 12, 1991.  
Article 2 of Decision No. 7 of December 15, 1992.  
Article 2 of Decision No. 50 of September 14, 1993.  
Article 2 of Decision No. 1 of January 21, 1994.  
Article 2 of Decision No. 2 of January 25, 1994.  
Article 2 of Decision No. 4 of June 10, 1996.  
Article 3 of Decision No. 5 of June 10, 1996.  
Article 3 of Decision No. 1 of May 25, 1998.  
Article 3 of Decision No. 2 of May 25, 1998.  
Article 35 of Law No. 24 of January 29, 1963.  
Articles 11 and 20 of Law No. 45 of August 7, 2001.  
Article 5 of Law No. 4 of January 23, 1956.  
Articles 4 and 5 of Law No. 15 of January 22 of 2003.  
Article 5 of Resolution No. 3 of August 26, 2004.

**Description:**

Cross-Border Services

Only a Panamanian may practice as a healthcare professional; agricultural science professional; barber; chemist; cosmetologist; customs agent; economist; journalist; library scientist; public relations specialist; real state agent; social worker; sociologist; public translators; speech and language therapist; and veterinary doctor.

However a foreign national may practice in the following professions if the relevant professional council finds that no qualified Panamanian is available: agricultural science professional; chemist; dietitian; medical doctor; medical radiology technician; nurse; nutritionist; odontologist; and veterinary doctor.

Foreign journalists engaged as correspondents for wire services or other foreign media will be accredited by the *Junta Técnica de Periodismo* and allowed to practice on that basis for the duration of their contractual service. Any foreign journalist engaged in a temporary professional mission in Panama will, upon registration with the *Junta Técnica*, be issued a temporary permit to practice journalism in Panama.

Notwithstanding existing measures relating to requirements for the practice of professions referred to in this entry, the respective professional associations, institutions or any other entity with authority to grant a license for the practice

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of the professions listed in the element measures of this entry (hereinafter referred to as the “Authority”) will recognize the license granted by a jurisdiction in the United States, and allow the holder of that license to register with the Authority and to practice the profession in Panama, on a temporary basis, based on the license issued in a jurisdiction in the United States, in the following cases:

- a. no educational institution in Panama offers a course of study that would allow the practice of the profession in Panama;
- b. the holder of the license is a recognized expert in the profession; or
- c. allowing the professional to practice in Panama will, through training, demonstration, or other such opportunity, further the development of the profession in Panama.



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**Sector:** Telecommunication Services

**Obligations Concerned:** Market Access (11.4)

**Level of Government:** Central

**Measures:** Law No. 17 of July 9, 1991.  
Law No. 5 of February 9, 1995.  
Law No. 31 of February 8, 1996.  
Executive Decree No. 73 of April 9, 1997.  
Executive Decree No. 21 of 1996  
Regulation JD-025 of December 12, 1996.  
Regulation JD-080 of April 10, 1997.  
Concession Contract No. 30-A of February 5, 1996,  
between the State and BSC (Bell South Panama, S.A.).  
Concession Contract No. 309 of October 24, 1997 between  
the State and Cable Wireless Panama, S.A.

**Description:** Cross-Border 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.

**Draft as of January 19, 2007**  
**Subject to legal review for accuracy, clarity, and consistency.**

**Sector:** Telecommunication services

**Obligations Concerned:** Local Presence (Article 11.5)

**Level of Government:** Central

**Measures:** Law No. 31 of February 8, 1996.  
Executive Decree No.73 of April 9, 1997.

**Description:** Cross-Border Services  
Telecommunication services supplied from within the territory of Panama directly to users in Panama may only be supplied by persons domiciled in Panama.

**Draft as of January 19, 2007**  
**Subject to legal review for accuracy, clarity, and consistency.**

**Sector:** Hotel and Restaurant Services

**Obligations Concerned:** Market Access (Article 11.5)

**Level of Government:** Central

**Measures:** Law No. 55 of July 10, 1973.

**Description:** Cross-Border Services

No license for the operation of a bar will be granted in any district in Panama when the number of existing bars in such district exceeds the proportion of one per one thousand inhabitants, according to the latest official population census.

**Draft as of January 19, 2007**  
**Subject to legal review for accuracy, clarity, and consistency.**

**Sector:** Games of Luck and Chance

**Obligations Concerned:** Market Access (Article 11.5)

**Level of Government:** Central

**Measures:** Article 292 of the 1972 Constitution.

**Description:** Cross-Border Services

Only Panama may operate games of luck and chance or other gambling activities in Panama.

**Draft as of January 19, 2007**  
**Subject to legal review for accuracy, clarity, and consistency.**

<b>Sector:</b>	Ports and Airports
<b>Obligations Concerned:</b>	Market Access (Article 11.5) Local Presence (Article 11.4)
<b>Level of Government:</b>	Central
<b>Measures:</b>	Decree Law No. 7 of February 10, 1998.  Law No. 23 of January 29, 2003.
<b>Description:</b>	<u>Cross-Border Services</u>  The executive branch of the Government of Panama has discretion to determine the number of concessions for national ports and airports and may require the concessionaire to appoint a legal representative in Panama.