

N° 40548 – MINAE

THE PRESIDENT OF THE REPUBLIC

AND

THE MINISTER FOR THE ENVIRONMENT AND ENERGY

Exercising the legal powers conferred upon them in subsections 3 and 18 of article 140 and article 146 of the Political Constitution; Law N° 5605 of 30 October 1974 ratifying the Convention on International Trade in Endangered Species of Wild Fauna and Flora; article 12 of the Wildlife Conservation Law N° 7317 of 30 October 1992; article 22 of the Biodiversity Law N° 7788 of 30 April 1998; article 6 subsection d) and article 27 subsection 1) of the General Law of Public Administration N° 6227 of 02 May 1978; and the Animal Welfare Law N° 7451 of 16 November 1994.

Preamble:

I. Whereas, Costa Rica ratified the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) by means of Law N° 5605 of 30 October 1974.

II. Whereas, article 50 of the Political Constitution recognizes the right to a healthy and ecologically balanced environment, which encompasses conservation, sustainable use and management of biodiversity and the fair and equitable distribution of the benefits deriving from this, ensuring strong participation of all citizens. Wildlife is an integral part of biodiversity and its importance is unquestionable given its intrinsic value and contribution towards the achievement of a healthy and ecologically balanced environment, as well as its key role in this country's economy and development.

III. Whereas, article 89 of the Political Constitution sets forth that the country's goals for culture include the protection of natural beauty, the conservation and development of the country's cultural and historic heritage, and support to private initiatives for the advancement of science and art.

IV. Whereas, article 140 of the Political Constitution provides that the President and the corresponding Minister shall put the laws into effect by creating and enforcing regulations.

V. Whereas, article 16 of the General Law of Public Administration establishes that administrative acts shall adhere to the unequivocal rules of science and technology as well as the basic principles of justice, logicity or convenience.

VI. Whereas, the purpose of the Wildlife Conservation Law of 30 October 1992 is to establish wildlife conservation and management regulations. Article 3 provides that wildlife belongs to the public domain, whereas article 4 sets forth that the production, management, extraction and commercialization, industrialization and use of genetic material of wild flora and fauna, their parts, products and by-products are declared of public interest and national heritage and are subject to government regulation. This is a milestone that entails that it is the duty of all Costa Ricans to correctly protect and manage wildlife for the enjoyment of current and future generations.

VII. Whereas, article 12 of the Wildlife Conservation Law authorizes the Executive Power to establish the necessary procedures and requirements for the conservation of the country's aquatic and terrestrial continental and insular wildlife.

VIII. Whereas, Executive order N° 32633 known as the Regulations for the Implementation of the Wildlife Conservation Law was issued on 10 March 2005.

IX. Whereas, Law N° 9106 of 20 December 2012 was passed to make significant amendments to the Wildlife Conservation Law. These amendments were a popular initiative aimed at including paradigm shifts in the country's approach to wildlife conservation.

X. Whereas, because of the significant amendments made to the Wildlife Conservation Law, it is the obligation of the State and legislators to make the necessary amendments to the aforementioned Regulations in order to adapt these to the paradigm shifts adopted by the country.

XI. Whereas, article 2 of the Organic Laws of the Ministry for the Environment and Energy sets forth that it is the duty of this Ministry to formulate, plan and execute the Government's policies regarding environmental protection and natural, energy and mineral resources, as well as manage, monitor, supervise, promote and develop these fields.

XII. Whereas, article 22 of the Biodiversity Law creates the National System of Conservation Areas (hereinafter SINAC) as a decentralized, participatory government agency to deal with forests, wildlife, protected wildlife areas and conservation of river basins and water systems and to dictate policy, plan and execute processes aimed at the achievement of sustainable natural resources.

XIII. Whereas, the obligations arising from the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which was ratified by Law N° 5605 of 30 October 1974, are fulfilled by SINAC in accordance with article 71 of the Wildlife Conservation Law.

XIV. Whereas, the UN General Assembly resolution 68/205 was adopted on 20 December 2013 proclaiming 03 March as World Wildlife Day in order to raise awareness of the the world's wild fauna and flora.

XV. Whereas, the First Chamber of the Supreme Court of Justice adopted resolution 1327-2016 describing wildlife as being a public domain good: *“Things in the public domain are those that by law are intended for permanent use by the public. All other things belong to the private domain and are under private ownership, even if they are the property of the State or Municipalities, who in this case are considered civilians and are no different from any other person.” Thus, the definition of private goods is done in a residual manner, that is, this category is made up of all those goods that do not fulfill any of the characteristics of a public good. Constitutional jurisprudence, taking into consideration the aforementioned criterion, refers to goods in the public domain as “those whose nature and legal framework differ from those of private goods – which are governed by ownership rights in accordance with article 45 of the Political Constitution – to the extent that by the express will of the legislator they serve the public interest and therefore, cannot be considered an object of private property and cannot be commercialized. They cannot be the property of individuals nor, in the strictest sense, the State. The latter acts as their administrator and guardian.*

[...] Thus, these are goods whose ownership and management is vested in the State and belong to the “country” and therefore, are part of public heritage...”

XVI. Whereas, in accordance with the Regulations for the Implementation of the Law for the Protection of Citizens from Excessive Administrative Requirements and Procedures, Executive Order N° 37045-MP-MEIC and its amendments, this proposal fulfills the principles for regulatory improvement pursuant to positive report DMR-DAR-INF-087-17 of 03 July 2017 issued by the Regulatory Analysis Department of the MEIC’s Office for Regulatory Improvement.

NOW THEREFORE, it is decreed:

“REGULATIONS FOR THE IMPLEMENTATION OF WILDLIFE CONSERVATION LAW N° 7317 OF 30 OCTOBER 1992, AMENDMENT TO EXECUTIVE ORDER N° 36515 OF 28 JANUARY 2011 AND EXECUTIVE ORDER N° 32633-MINAE OF 10 MARCH 2005 AND REPEAL OF EXECUTIVE ORDERS N° 10-MIRENEM OF 16 APRIL 1993 AND N° 35463-MINAE-MEP OF 04 JUNE 2009”

CHAPTER I

GENERAL PROVISIONS

Article 1. - Scope. These regulations shall apply to the sustainable use, management and conservation of wildlife in general as set forth in the Wildlife Conservation Law.

Fishing in continental and insular waters and regulations pertaining to Wildlife Refuges shall be excluded from the scope of these regulations and shall be governed by the provisions set forth in Executive Order N° 32633-MIINAE. Aspects related to the management and conservation of species of interest for fishing exploitation or aquaculture shall also be excluded in accordance to the provisions set forth in the Wildlife Conservation Law.

These regulations shall not apply to forest species, forest nurseries, reforestation processes, and management and conservation of forests and agroforestry systems, which shall be specifically regulated by Forest Law N° 7575.

The Wildlife Conservation Law and these Regulations shall not apply to individuals of exotic ornamental species since these are companion, decorative or domestic species. The lists of exotic ornamental species shall be prepared by SINAC, SENASA and SFE and shall be readily accessible to the general public through the corresponding institutional websites.

Due to current or potential access to genetic resources, management sites such as herbariums, natural museums, germplasm banks, strain banks and other *ex situ* collections shall be regulated by the Biodiversity Law and its regulations.

Article 2. - Acronyms. As used in these regulations, the following acronyms shall have the following meaning:

ASP: Protected wildlife areas

CITES: Convention on International Trade in Endangered Species of Wild Fauna and Flora

CCSS: Costa Rican Social Security Fund
CMS: Convention on Migratory Species
CONAC: National Conservation Area Council
CONAGEBIO: National Commission for Biodiversity Management
CONARE: National Council of University Chancellors
CONAVIS: National Wildlife Commission
EIA: Environmental Impact Evaluation
IATA: International Air Transport Association
IMAS: Joint Social Welfare Institute
INDER: National Institute for Rural Development
LCVS: Wildlife Conservation Law
MAG: Ministry for Agriculture and Livestock
MINAE: Ministry of Environment and Energy
RNVS: National Wildlife Refuge
SENASA: National Animal Health Services
SETENA: National Environmental Technical Secretariat
SFE: State Phytosanitary Services
SICERE: Centralized Collection System
SINAC: National System of Conservation Areas
IUCN: International Union for Conservation of Nature

Article 3.- General Provisions. As part of the country's natural heritage, the State shall ensure the conservation and sustainable use of wild fauna and flora with the participation of private individuals and the coordination of interinstitutional and intersectoral efforts. Public and academic institutions, the private sector and civil society shall take part in wildlife conservation and sustainable use pursuant to applicable legislation.

Wildlife management activities shall be based on technical and scientific knowledge, a preventive, precautionary or *in dubio pro natura* approach, and intra-generational and intergenerational equity. Traditional knowledge pertaining to wildlife management, sustainable use and conservation shall be incorporated into decision making in order to preserve and protect the knowledge, cultural practices and spiritual traditions of indigenous peoples.

Use of wildlife shall be done responsibly with respect for their wellbeing and their humanization and use as pets must be avoided.

Article 4. – Definitions. In addition to those definitions contained in articles 1, 2 and 5 of the LCVS and for the purpose of applying the LCVS and these Regulations, the following terms shall have the meanings, respectively, ascribed to them below:

1. Ambiance enhancement: A process to improve animal care practices in captivity taking animal biology and natural behavior into account. It is used to provide animals with conditions similar to those of their natural habitat. Enclosure size and shape, substrate, accessories, vegetation, among others should be taken into consideration. Its purpose is to improve their quality of live, enhance exploratory behavior, natural instincts and social life.

2. River mouth: Geographical feature where a river empties into another river or body of fresh or salt water.

3. Falconry: Techniques used to raise, domesticate and train birds of prey for use in hunting or similar activities. The birds are kept in captivity in direct contact with humans.

4. Conservation: Wildlife management, use and preservation for current and future generations. It can be *ex situ* or *in situ*. It also includes the maintenance and recovery of viable populations of species in their natural surroundings.

5. Ex situ conservation: Maintenance of wildlife outside its natural habitat including collections of biological material.

6. In situ conservation: Maintenance of wildlife within ecosystems and natural habitats. It also includes the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.

7. Contaminant: Any substance or material that modifies the physical and chemical characteristics of water, air or soil.

8. Leather: The processed skin of an animal, which undergoes value added processing by tanning, dyeing and finishing.

9. Byproduct: A product originating from any part of a wildlife specimen and obtained through one or several transformations.

10. River mouth: An area where a river or lagoon meet the sea or the ocean. Its area of influence on aquatic life is equal to the area of a semicircle of 1 km radius centered from its mouth.

11. Ecosystem: A dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

12. Rare specimen: Individuals of species with very reduced or little known populations.

13. Unique specimen: Any individual of a species of which only that specimen is known.

14. Enrichment: A continuous and dynamic process to improve the environment and care of animals in captivity according to their natural behavior and history by encouraging species-appropriate behavior and improving their well-being. Enrichment must be specifically designed for each animal or group of animals living in an enclosure.

15. Wild animal handover: Action whereby a private individual who possesses a wildlife specimen hands the animal over to another person or authority.

16. Threatened species or with reduced populations: A species or subspecies of wild fauna or flora - or populations of these - that is likely to become an endangered species in the near future throughout its distribution area or in part of it, if those factors causing its decline in number or the degradation of its habitat persist; or is patchily distributed throughout a wide distribution area and there exists a real likelihood or potential that its numbers may decline becoming in danger of extinction.

17. Domesticated plant species: A plant species whose evolutionary trajectory has been influenced by humans to satisfy their own needs.

18. Agricultural species: Species or varieties of domesticated plants used in agriculture for food, medicine or ornaments and managed as crops by humans.

19. Endangered species or at risk of extinction: Species of wild flora or fauna with critically low population levels or a reduced habitat affecting its long-term genetic viability, which has been included in the MINAE list of endangered species, in international red lists or in international conventions.

20. Exotic species: A wildlife species living outside its natural distribution area, which has been introduced into the country either as a result of human activity - voluntary or involuntary – or due to natural dispersal. These include exotic ornamental species and exotic species declared as wildlife by their country of origin.

21. Exotic species declared as wildlife by their country of origin: This category is made up of all species included in the CITES Appendices, species protected by international treaties and agreements, and exotic non-ornamental and non-invasive species.

22. Exotic ornamental species: An exotic species raised or grown to be kept under human care because of its entertainment or ornamental value. They are used solely as ornamentals, commercialized as such or used in research.

23. Specimens: Live or dead organisms, their parts or other easily identifiable by-products.

24. Pond: A low-volume, artificial body of water used to simulate natural conditions when maintaining wildlife in captivity.

25. Estuary: Land along the side of a river, close to where it flows into the sea and affected by tide water. It includes secondary canals usually surrounded by swamps, natural vegetation such as mangroves, grasses, cyperaceae and other plants that grow in flooded areas.

26. F1: First generation of specimens born in captivity from parents taken from the wild.

27. F2: Second generation of specimens born in captivity from F1 parents.

28. F3: Third generation of specimens born in captivity from F2 parents.

29. Strengthening: Release of wildlife specimens in places still inhabited by individuals of the same species in order to improve genetic diversity in these populations.

30. Habitat: The natural environment of a specimen or population where these are able to satisfy their basic needs.

31. Hybrid: An organism that results from combining two different genera or species.

32. Exotic individuals with native populations: Individuals belonging to species with wild populations in our country; however, they originate from wild or captive populations abroad.

33. Scientific institutions: Public or private institutions and organizations dedicated to wildlife research and conservation and because of the knowledge they possess can provide decision-making advice to SINAC-MINAE.

34. Introduction: Release of wildlife outside its natural distribution area.

35. Botanical garden: A place where scientific collections of plants and trees are kept. It can be open to the public for the purposes of recreation, education and research.

36. Lagoon: A natural body of either fresh or salt water, smaller and shallower than a lake. It can be seasonal.

37. License: An administrative act by means of which SINAC gives authorization to a natural or legal person to conduct a specific activity.

38. Mangrove forest: An ecosystem composed of pantropical plant and tree species and associated vegetation with morphological, physiological and reproductive adaptations to tidal environments.

39. Pet: A wildlife specimen - as set forth in articles 1, 2 and 5 of the LCVS - that has been subjected to a mascotization and domestication process by humans. The animal is kept temporarily or permanently outside its natural habitat or encouraged to temporarily abandon it. It is in permanent or recurrent contact with humans, it partially or totally depends on this relationship for survival, exhibits closeness and affection towards people, and is treated as an object of affection, a companion and a recreational distraction. As a result of this, the animal can exhibit changes in diet, behavior and natural needs as well as the temporary or permanent loss of species-specific behaviors.

40. Genetic material: Any material from wildlife organisms containing functional units of heredity.

41. Part: A portion of a wildlife specimen.

42. Hide: Unprocessed epidermal tissue obtained from an animal, which is normally salted or soaked in a lime-water solution.

43. Collection plan: A list of wildlife specimens and species from a management site with information on age, sex, reproduction plans, educational objectives, destination of specimens born, surplus and purchase needs.

44. Management plan: A document prepared by a wildlife management professional containing regulations, procedures and protocols to be followed in wildlife management areas according to category objectives set forth in these regulations.

- 45. Processing:** Transformation and utilization of a wildlife product or by-product.
- 46. Re-export:** Export of a wildlife specimen belonging to a species included in the CITES Appendices, product(s) or by-product(s) that were previously imported.
- 47. Wildlife Manager (or *Regente*):** A professional with training and expertise in wildlife management who is responsible for compliance with management plan objectives. He/she shall have power of attestation, must be registered with SINAC and must be a member of the corresponding professional association.
- 48. Wildlife rescue:** To meet the needs of wild animals whose wellbeing and survival has been compromised requiring immediate human intervention in order to survive.
- 49. Reinsertion:** The release back into the wild of animals that have been rescued, seized or collected for scientific or academic purposes.
- 50. Reintroduction:** The release of individuals of wild species in order to rebuild a viable population in an area that used to be part of its historical geographic distribution.
- 51. Seal without postal value.** A label, stamp or printed seal without postal value issued by SINAC in accordance with article 127 of the LCVS.
- 52. By-product:** That which derives from a wildlife product.
- 53. Custody transfer:** To transfer legal custody of a wild animal from one management site to another.
- 54. Translocation:** The transfer of wildlife by man from its natural habitat to a similar natural habitat despite awareness of the risks of doing so for the organisms.
- 55. Botanical varieties:** The forms, races or taxonomic subunits of a plant species.
- 56. Closed season:** A defined period of time and geographical area in which the hunting of a particular species or group of species is not allowed. This is a management mechanism enforced to ensure their conservation.
- 57. Commercial nursery:** Wild flora management facilities whose principal objective is the reproduction, display and sale of plants – domestically and internationally – ensuring plants grow under ideal conditions.
- 58. Non-commercial nursery:** Wild flora management facilities whose principal objective is the reproduction and display of plants for self-consumption and enjoyment of its owners ensuring plants grow under ideal conditions.
- 59. Commercial zoo:** Fauna management facilities that fulfill the provisions set forth for zoos in the LCVS. They have been authorized to legally acquire wild animals for exhibition provided these are included in the collection plan. In accordance with the LCVS and these Regulations, reproduction shall not be authorized.
- 60. Non-commercial, sanctuary-type zoos:** Fauna management facilities that fulfill the provisions set forth for zoos in the LCVS. They have been authorized to exhibit wild animals that cannot be released due to physical or behavioral problems caused directly or

indirectly by humans. They shall not be authorized to buy, sell, reproduce or exchange wild animals.

Article 5.- Wildlife taxonomic groups. For the purposes of the LCVS and these Regulations, wildlife is made up of all animal species from all kingdoms of life found in the wild in terrestrial, aquatic and marine environments throughout the country. It shall also include exotic organisms identified as wild in their country of origin. This list shall be updated by means of an Executive Order.

The following taxonomic groups are included:

Kingdoms: Eubacteria, Protista, Chromista	
Taxonomic Groups	Common Name
<i>Bacteria</i>	Bacteria
<i>Cyanobacteria</i>	Blue-green algae
<i>Glaucophyta</i>	Glaucophytes
<i>Alveolata</i>	Dinoflagellates, sporozoa, ciliates, paramecia
<i>Excavata</i>	Euglinids, metamonada
<i>Rhizaria</i>	Radiolaria, foraminifera, cercozoa
<i>Amoebozoa</i>	Amoebas
<i>Choanozoa</i>	Choanozoa
<i>Haptophyta</i>	Haptophytes
<i>Ochrophyta</i>	Diatoms, brown algae, chrysophytes, xantophytes, golden algae
<i>Cryptophyta</i>	Cryptophytes
<i>Oomycota</i>	Molds, mildews
Kingdom Plantae	
<i>Chlorophyta</i>	Green algae
<i>Rhodophyta</i>	Red algae
<i>Bryophyta</i>	Non-vascular plants (liverworts and mosses)
<i>Tracheophyta</i>	Vascular plants (ferns and similar seedless vascular plants [reproducing by spores] and plants with seeds [angiosperms and gymnosperms])
Kingdom Fungi	
<i>Chytridiomycota</i>	Mushrooms
<i>Zygomycota</i>	Molds
<i>Ascomycota</i>	Mushrooms, toadstools
<i>Basidiomycota</i>	Mushrooms, root rot, toadstools
Kingdom Animalia	
<i>Porifera</i>	Sponges
<i>Cnidaria</i>	Corals, anemones, medusas
<i>Ctenophora</i>	Ctenophores, comb jelly
<i>Platyhelminthes</i>	Flat worms
<i>Rotifera</i>	Rotifers
<i>Nematoda</i>	Roundworms
<i>Mollusca</i>	Octopus, squid, shells
<i>Annelida</i>	Segmented worms
<i>Arthropoda</i>	Insects, spiders, crustaceans
<i>Echinodermata</i>	Starfish and sea urchins
<i>Chordata</i>	Fish, birds, mammals, reptiles, amphibians

In accordance with the LCVS, vascular plants shall not include forest trees and plants, mushrooms and algae used for agricultural purposes.

Article 6.- Threatened and endangered wildlife species, with reduced or threatened populations under closed season. For the purposes of article 14 of the LCVS and these Regulations, threatened and endangered wildlife species with reduced or threatened populations are those included in officially listed taxa, which shall be revised by SINAC every four years. Additionally, with support from CONAVIS, SINAC shall develop the necessary Protocol with mechanisms and procedures to revise these lists.

These lists shall include individuals from species found within Costa Rica and included in the CITES Appendices, CMS and IUCN Red List. They shall also include species added by SINAC-MINAE via administrative resolution based on technical criteria and published in the official newspaper *La Gaceta*.

Article 7.- Closed season on wildlife. A permanent closed season for hunting shall apply to all wild animal species. In compliance with the LCVS and these Regulations, controlled and subsistence hunting shall only be allowed.

CHAPTER II ADMINISTRATIVE ORGANIZATION

Article 8.- Celebration of World Wildlife Day. It is to be celebrated on 03 March every year. Civil society organizations, public and private institutions are encouraged to carry out awareness-raising activities about wildlife conservation and sustainable use as part of the country's natural heritage.

Article 9.- SINAC Functions. For the purposes of this Law and these Regulations, SINAC shall have the following functions:

1. Prepare and update the National Wildlife Plan in accordance with the policies set forth in the National Biodiversity Policy and Strategy, the National Development Plan and institutional planning instruments.
2. Issue the licenses, permits or authorizations set forth in the LCVS and these Regulations.
3. Ensure the correct enforcement and compliance with applicable wildlife legislation.
4. Draft any necessary regulations regarding controlled and subsistence hunting, sustainable conservation and use of wild fauna and flora.
5. Take on the role of CITES management authority and ensure its correct enforcement and compliance as set forth in the LCVS and these Regulations.
6. Develop and update the National Wildlife Information System.
7. Prepare and revise the Protocols established in these Regulations.
8. Convene and coordinate the work of the National Wildlife Committee.
9. Prepare instructional materials to inform about the mission, objectives and programs of SINAC pertaining to wildlife conservation and sustainable use.
10. Any other functions assigned to it by CONAC or the Ministry for the Environment and Energy.

Article 10.- Conservation Area functions. For the purposes of this Law and these Regulations, Conservation Areas shall have the following functions:

1. Take part in the preparation of institutional programs and projects and implement them in accordance with established provisions and procedures.
2. Coordinate activity implementation with other relevant offices and departments.
3. Coordinate and inform the SINAC Executive Secretariat of the implementation of regional wildlife programs and projects.
4. Issue and supervise management site use permits and administrative resolutions pertaining to site functioning, as well as grant licenses for controlled hunting and commercial and non-commercial wildlife exploitation.
5. In coordination with the SINAC Executive Secretariat, take part in brief ecological and wildlife population status assessments and issue the corresponding recommendations.
6. In coordination with the SINAC Executive Secretariat, order management measures to ensure the protection and sustained exploitation of endangered species and promote research on these species.
7. Check, evaluate and approve or reject site management plans and ensure compliance.
8. In coordination with the SINAC Executive Secretariat, promote wildlife research and the publication of technical-scientific documents ensuring compliance with national legislation. Special emphasis shall be given to research on species requiring appropriate technical management to ensure their coexistence with human activities as well as management techniques for wildlife populations exhibiting abnormal growth rates or other issues.
9. Analyze and assess the impact of wildlife species on agricultural activities.
10. Carry out formal and informal environmental education programs to raise community awareness of the correct management of wild fauna and flora pursuant to institutional priorities.
11. Ensure the National Wildlife Information System is kept up to date.
12. Conduct prevention, control and protection activities and address complaints as appropriate.
13. Ensure correct compliance with wildlife legislation.
14. Provide the corresponding support to the Executive Secretariat.
15. Any others assigned to it by applicable legislation, the SINAC Executive Director, CONAC or the Minister for the Environment and Energy.

Article 11.- Resource allocation for regulation compliance. The SINAC budget shall include the necessary amounts to ensure the correct enforcement and compliance of the LCVS and these Regulations, including the purchase of wildlife management equipment, food for wild animals in temporary custody, emergency veterinary care, payment for euthanasia, fuel and travel allowance for inspections, specialized training, among others.

Article 12.- Seal without postal value. In order to comply with the LCVS, SINAC shall ask the Wildlife Foundation to supply them the necessary amount of seals without postal value. This is an embossed seal issued by the Wildlife Foundation in accordance with article 127 of Law N° 7317.

Article 13.- On the inspectors. For the purposes of article 15 of the LCVS, wildlife inspectors are SINAC officials appointed as Rangers and Technicians A, B, C and D according to the Civil Service Manual. Additionally, MINAE shall be able to appoint *ad honorem* environmental inspectors and natural resources surveillance committees (COVIRENAS) to contribute to the enforcement of the law and its regulations. These shall be governed by Executive Order N° 39833-MINAE.

CHAPTER III

APPLICATION AND PERMIT PROCESSING

Article 14.- General requirements for all applications. All applications submitted to SINAC shall include:

- a. Application/process form duly authenticated by a Notary Public, unless submitted personally, in which case the clerk shall compare the signature against the corresponding i.d. document and attest to this on the document receipt form.
- b. In the absence of an official form, the interested party shall be able to submit a document indicating:
 1. Office to which it is addressed
 2. Date and place of request
 3. If applicant is a natural person, his/her full name, identifying information, i.d. number and address must be included
 4. If applicant is a legal person, the corporate name, i.d. number, registered address, legal representative's full name, identifying information, i.d. number and address must be included
 5. Exact location of the property where the intended activity is to be carried out (where applicable)
 6. A clear explanation of the request
 7. Specify attached documentation
 8. Method of service
- c. If applicant is a foreigner without a local i.d. card, he/she must submit a certified copy of his/her valid passport, or a copy together with the original passport for the clerk to compare against upon receipt.
- d. If applicant is a legal person, a certificate of status no more than three months old must be submitted.
- e. In the case of recognized occupants of lands under INDER administration, the application must include the final resolution of the Institute's Board of Directors authorizing the applicant to carry out the intended activity.
- f. When the activity is to be carried out by a person other than the owner of the property, a legally valid document must be presented demonstrating that the applicant has the express authorization of the owner or sufficient authority to carry out the intended activity, such as a lease agreement or sufficient power of attorney.

- g. Must be up to date on employer obligations or submit a non-employer certificate issued by the Costa Rican Social Security Fund (CCSS) in accordance with article 74 of the CCSS Organic Law, No. 17. The SINAC clerk shall issue a SICERE certificate.
- h. The corresponding technical document (management plan, population study, technical study or corresponding document) required for each of the permits, licenses or authorizations requested from SINAC by reason of the LCVS, where appropriate.
- i. Original payment receipt for duties, licenses, permits, concessions, certificates, registrations or others requested in accordance with article 11 of the LCVS, where appropriate.

These requirements shall not apply in the case of applications requesting authorization for subsistence hunting. These shall comply with article 41 of these Regulations.

SINAC shall respond to permit and license applications in the order these were received and in accordance with article 296 of the General Public Administration Law.

Article 15.- Incomplete applications. If the application does not fulfill the corresponding requirements, the applicant shall be given a single opportunity to amend the application within 10 business days. Should the applicant fail to comply, the application shall be deemed abandoned and a new application must be submitted.

If necessary, applicants shall receive a single written request giving them 10 business days to submit additional documentation needed to process and respond to the application. The process shall be interrupted until the additional documentation or information has been submitted.

SINAC shall have a maximum 30 days to respond, unless these Regulations specify otherwise.

Article 16.- Appeals for reconsideration. The decision to reject an application may be appealed before the office that issued this decision and CONAC within three business days after notification.

Article 17. On permits issued under the LCVS and these Regulations. Permits, licenses, authorizations or concessions granted under the LCVS and these Regulations shall not be transferrable. Additionally, they can be revised and cancelled in those cases where they do not serve the public interest and non-compliance with the LCVS, these Regulations or the terms and conditions granted has been demonstrated with due process of law. In the event of cancellation, the Government shall not be held liable.

Article 18. Wildlife permits issued under the LCVS and these Regulations. Given that wildlife belongs to the public domain – and in compliance with the principle of legality – the Administration shall only authorize wildlife uses expressly regulated by current regulations. Wildlife use must be sustainable and serve the public interest.

Article 19. Non-acceptance of administrative silence. Administrative silence shall not apply in the case of permit, license, authorization or concession applications granted under the LCVS and these Regulations.

Article 20. Granting of concessions. SINAC, through the corresponding Conservation Area, shall grant concessions for the production, management, extraction, commercialization and industrialization of wildlife, its parts, products and by-products. This shall be done in accordance with articles 4 and 17 of the LCVS and the following provisions:

- a. Technical reports shall be submitted by the concessionaire on an annual basis or with greater frequency if deemed necessary by SINAC.
- b. Government officials in charge of enforcing the LCVS and other environmental regulations shall be given free access to concessionaires' projects.
- c. In order to ensure compliance with concession terms and conditions, SINAC may require a mutually agreed upon guarantee deposit.
- d. Concessions shall be cancelled if concessionaires do not comply with the terms of the concession or infringe legislation concerning this matter. Additionally, the guarantee deposit shall be executed and the corresponding claim shall be filed for damages suffered by the State as a result of this non-compliance.
- e. Impact on ecosystems shall be taken into consideration when granting concessions as well as the existence of a true economic benefit for the State and a fair and equitable distribution of the benefits resulting therefrom.

Use of genetic material must comply with the provisions set forth in the Biodiversity Law.

SINAC shall have one month to respond to applications. In those cases where an application is rejected, the interested party shall have 15 business days to meet the technical recommendations made; otherwise, the file shall be closed.

CHAPTER IV

ON THE NATIONAL WILDLIFE COMMISSION (CONAVIS)

Article 21.- Integration. CONAVIS was established with the objective of providing technical support and advice to MINAE and SINAC on wildlife conservation and sustainable use as well the fair and equitable distribution of the benefits resulting therefrom.

It shall be made up as follows:

- a. SINAC's Wildlife Coordinator and the corresponding alternate
- b. Two members and two alternate members appointed by CONARE
- c. One member and one alternate member appointed by the Costa Rica Association of Professional Biologists
- d. One member and one alternate member appointed by the Association of Agricultural Engineers
- e. Two members and two alternate members from non-governmental organizations, with proven experience in wildlife conservation and sustainable use, which shall be chosen by means of a participative process led by MINAE-SINAC.

SINAC's Wildlife Coordinator shall coordinate this Commission's work. These institutions and organizations shall provide *ad honorem* support to the Costa Rican Government.

SINAC shall request written confirmation of designations made by those institutions that are to be members of the Commission.

In the case of representatives from non-governmental organizations, SINAC shall post an online invitation on its website www.sinac.go.cr inviting all those who wish to participate in the Commission to the election meeting. The invitation shall be posted 10 business days in advance of the meeting and shall also include details as to the information that must be submitted by the candidates. The sole purpose of this invitation shall be to elect the NGO representatives on the Commission.

Commission members shall be appointed by administrative resolution for a three-year renewable term.

Article 22.- Requirements for CONAVIS members. Members and alternate members of CONAVIS must be professionals with proven experience in wildlife management and conservation. They should have an established publication record on the subject and must have earned at least a *licenciatura* degree. Additionally, they must have no limitations in terms of exercising their profession in an independent capacity and no conflict of interest must exist.

Article 23.- Functions of CONAVIS. CONAVIS shall provide advice and support on the following:

- a. Identify and implement the necessary technical measures to ensure compliance with applicable local and international wildlife legislation.
- b. Technical analysis of positive and negative interactions in terms of production activities and wildlife conservation in the country.
- c. Identify and apply technical measures for the implementation of the National Biodiversity Policy and Strategy.
- d. Develop planning, regulatory or technical instruments for wildlife conservation and sustainable use.
- e. Implement and develop the necessary methodologies to prepare local lists of endangered native species or with reduced populations.

CONAVIS shall also be readily available to provide technical advice to MINAE-SINAC on other topics and issues.

Article 24.- Subcommissions. CONAVIS shall appoint two permanent working subcommissions, one on fauna and the other on flora. It shall also have the power to appoint temporary subcommissions or working groups to support decisions or processes deemed necessary in order to ensure the management and conservation of the country's wildlife.

In addition to CONAVIS members, the Subcommission on Fauna shall include a member and corresponding alternate member from the following institutions or organizations:

- a. SENASA
- b. National University's Hospital for Minor Species and Wildlife

c. Costa Rican Veterinary Medical Association

In addition to CONAVIS members, the Subcommittee on Flora shall include a member and corresponding alternate member from the following institutions or organizations:

- a. State Phytosanitary Services
- b. Lankester Botanical Garden

SINAC shall request written confirmation of the wildlife specialists designated.

CHAPTER V

ON *IN SITU* WILDLIFE CONSERVATION AND MANAGEMENT

SECTION I

INTERACTION AND COEXISTENCE BETWEEN HUMAN ACTIVITIES AND WILDLIFE

Article 25.- Coexistence between wildlife and human activities. SINAC shall develop and promote the creation of guides, protocols, research and educational campaigns, among others, needed to achieve an adequate balance between human activities and wildlife. Together with institutions, organizations and private individuals, SINAC shall coordinate efforts to raise awareness of ecological aspects associated with the presence of wild animals in urban and rural areas with production activities, among others.

Article 26.- Management and control of wildlife species that can cause harm. In accordance with the measures provided for in article 22 of the LCVS, SINAC shall have the ability to authorize the management of one or several problem individuals that cause proven damage. Animal management shall be authorized pursuant to these Regulations and SINAC protocols specifically designed for this purpose.

Article 27.- Filing a complaint and initial assessment visit. In order to apply the measures set forth in article 22 of the LCVS, a private individual affected by wildlife damage must file a complaint with the corresponding SINAC office in accordance with article 14, subsections a) to d) of these Regulations, as appropriate. After analyzing the complaint and documentation submitted, SINAC shall conduct an initial assessment visit pursuant to the procedures provided for in the Protocol to address interaction and coexistence between human activities and wildlife.

Article 28.- Verification of damages caused. Damage caused by wildlife shall be verified using the SINAC Protocol to address interaction and coexistence between human activities and wildlife.

Article 29.- Techno-scientific studies. Should the application of the Protocol to address interaction and coexistence between human activities and wildlife establish the need to remove or destroy the nuisance individual or individuals, the interested party or parties must conduct a techno-scientific study and benefit-cost analysis in compliance with the SINAC Protocol to assess nuisance wildlife populations.

In cases involving several interested parties, these studies may be submitted jointly.

The techno-scientific study shall be prepared and signed by a professional with training in wildlife management and a member of the corresponding professional association. The benefit-cost analysis shall be prepared by a specialized professional.

Together with the National Wildlife Commission, SINAC shall analyze the study and relevant population data.

Article 30. Administrative resolution. Once the requirements have been fulfilled and the aforementioned technical analysis conducted, SINAC shall issue an administrative resolution accepting or rejecting the request to remove or destroy the nuisance individual or individuals. If accepted, the resolution shall explain in detail the specific conditions of the permit. The interested party shall be notified of the resolution.

Article 31.- Declaration, management and control of invasive exotic species. In order for an exotic species to be declared invasive, SINAC shall conduct a techno-scientific analysis of the species that must include:

- a. Global status of the species
- b. Life cycle of the species in its natural habitat
- c. Behavior
- d. Reproductive potential and abundance of species in area of invasion
- e. Patterns of movement and activity
- f. Species potential as a predator, parasite, pathogen for native species
- g. Species potential as a competitor for resources, space
- h. Potential hybridization with native wild species
- i. Potential for dispersion from place of detection
- j. Possible control methods
- k. Management experiences with this species in other countries
- l. Potential risk of the species for native ecosystems or wildlife species
- m. Potential damage to human activities or public health

SINAC shall determine whether there is an imminent or potential risk for native ecosystems or species and shall proceed to declare the species an invasive exotic species via administrative resolution. Once declared an invasive exotic species, SINAC shall develop an action plan for its management in accordance with the Protocol for the Management of Invasive Exotic Species.

This action plan shall be revised by INCOPECA, SENASA or other relevant institution and they shall have 15 business days to make any technical observations or recommendations.

SECTION II

POPULATION CONTROL USING CONTROLLED HUNTING

Article 32.- Controlled hunting. SINAC shall authorize controlled hunting in those cases where there is technical certainty that wild populations exceed population limits affecting the species, other wild species or the stability of the ecosystem that supports them. Controlled hunting shall only be allowed when technically established as the only viable option.

Article 33.- Request for implementation of controlled hunting. Those interested in controlled hunting should submit the corresponding form in accordance with article 14 of these Regulations. The corresponding techno-scientific study must also be presented and must meet the requirements set forth in the article below.

Article 34.- Techno-scientific study. The techno-scientific study demonstrating that population levels exceed population limits and affect the species, other wild species or the stability of the ecosystem that supports them must be prepared and signed by a professional with training in wildlife management and a member of the corresponding professional association. The interested party or parties shall cover the cost of this study. The study must include:

- a. Justification for the need to implement controlled hunting instead of other methods of control
- b. Problem background
- c. Study area (administrative-political and cartographic location, type of life zone)
- d. Estimated size of the species population in the affected area
- e. Scope of the problem (affected area, behavior, biological characteristics, reproductive cycles, species migration seasons) and the species' population status at national, regional and international level, interrelations, impact of species on the ecosystem and other populations, probable causes of overpopulation
- f. Specific comparative data demonstrating overpopulation. This data shall be the basis to determine the problem, define management options and number of individuals to be managed.
- g. Specific details of the affected area must be included as well as other species populations impacted and damage to the ecosystem.
- h. Proposed number of individuals that are to be hunted, hunting methods, best time of year to implement control, sex, age, among others.
- i. Timeline and population monitoring method after controlled hunting.

SINAC shall analyze the study and relevant population details together with CONAVIS.

SINAC shall be able to request collaboration from academic institutions on research dealing with the status of a particular species.

This study shall be taken as the assessment mentioned in article 26 of the LCVS.

Article 35. Administrative resolution for commencement of controlled hunting. After the aforementioned requirements have been fulfilled and documentation submitted analyzed, SINAC shall issue an administrative resolution accepting or rejecting commencement of controlled hunting. The interested party shall be notified of the resolution. The resolution shall be issued based on technical criteria and applicable legislation.

Administrative resolutions shall address method specifications or limitations, including specific conditions authorized, number of specimens to be hunted, authorized weapons, authorized dates, authorized areas, hunting methods, number of hunters allowed (who must be registered in accordance with article 29 of the LCVS), among others.

SINAC shall publish the technical decision in the official newspaper *La Gaceta*.

Article 36.- Requirements for hunter registration in controlled hunting database. In order to register as a hunter in the controlled hunting database in accordance with article 29 of the LCVS, the interested party must fulfill the requirements set forth in article 14 of these Regulations and submit documentation to the corresponding Conservation Area. Additionally, interested parties must fulfill the following requirements:

- a. Two passport size photos of the applicant.
- b. Copy of current firearms permit, where appropriate.
- c. Original receipt for payment of the hunter's registration fees deposited into the Wildlife Fund.

Once these requirements have been fulfilled, SINAC shall have 10 days to register the hunter in the controlled hunter database and assign the hunter a unique i.d. number.

Application paperwork may be filled out at any time by the interested party.

Article 37.- Requirements for controlled hunting permits. After approval of controlled hunting via administrative resolution as set forth in article 35 of these Regulations, the interested parties shall fulfill the requirements set forth in article 14 of these Regulations and submit documentation to the corresponding Conservation Area. Additionally, interested parties must fulfill the following requirements:

- a. Original receipt for payment of the hunter's permit fees deposited into the Wildlife Fund.
- b. A notebook with numbered pages, which must be made official and sealed by SINAC. This notebook shall be used as a logbook to record authorized activities. It shall contain the date and place of capture, species, number of individuals captured, method used and any other additional information deemed relevant in order to monitor the number of captured individuals pursuant to the corresponding resolution.

Once the interested party has met the requirements, SINAC shall have 15 days to issue the permit, which shall only be valid for the activity specified.

The permit shall include the authorized hunter's name, i.d. card number, photo, term of validity, location, date and authorized species.

Permits shall be issued in accordance with the number of hunters authorized in the administrative resolution and in the same order they were submitted.

Article 38.- Replacement of a controlled hunting permit. In the event a permit is lost, the interested party shall submit a formal declaration before a notary stating loss, a written request for permit replacement and the original receipt for payment of the permit. SINAC shall have 15 days to issue a new permit.

Article 39.- Authorized controlled hunting methods. SINAC shall authorize the following controlled hunting methods:

- a. Firearms: 12- and 16-gauge shotguns, manual action .22 rifles and firearms with a caliber larger than 6 mm or equivalent in other units of measurement. Firearms used primarily in warfare as set forth in the current Firearms Law shall not be allowed.
- b. Other methods shall be authorized where technically justified.

Firearm registration and permit to carry shall be governed by the current Firearms Law and regulations.

SECTION III SUBSISTENCE HUNTING

Article 40.- Subsistence hunting. Subsistence hunting applications shall be analyzed by SINAC and issued in those cases where the sole objective is to use these wild resources for personal and family consumption as food and the socioeconomic status of these persons is such that they do not have access to any other source of protein. Commercial use shall be prohibited. Authorization shall be granted via administrative resolution indicating the method of hunting permitted, number of animals per hunter and authorized locations, which must be situated near the applicant's place of abode.

Subsistence wildlife hunting shall not be authorized for reduced, threatened or endangered populations. Subsistence hunting shall not be allowed in protected areas.

Article 41.- Requirements for subsistence hunting permits. When applying for a subsistence hunting permit, the interested party shall only need to submit the following:

- a) Registration form stamped by SINAC or a written request briefly justifying the need for subsistence hunting.
- b) A certificate issued by IMAS stating the applicant's socioeconomic status and demonstrating that he/she has no access to another source of protein.
- c) Two passport size photos of the applicant.
- d) In those cases where subsistence hunting is to take place on property belonging to a third party, written permission must be obtained from the registered owner.
- e) Must be up to date on employer obligations or submit a non-employer certificate issued by the Costa Rican Social Security Fund (CCSS) in accordance with article 74 of the CCSS Organic Law, No. 17. The SINAC official shall issue a SICERE certificate.

SINAC shall have 15 days to respond to the application via administrative resolution and issue the corresponding permit. The permit shall include the authorized hunter's name, i.d. card number, photo, term of validity, location, date and authorized species.

The permit shall be issued for a maximum of one year.

Article 42. Authorized subsistence hunting methods. The following subsistence hunting methods shall be authorized by SINAC:

- a. Firearms: 12- and 16-gauge shotguns, manual action .22 rifles and firearms with a caliber larger than 6 mm or equivalent in other units of measurement. Firearms used primarily in warfare as set forth in the current Firearms Law shall not be allowed.
- b. Other methods shall be authorized where technically justified.

Firearm registration and permit to carry shall be governed by the current Firearms Law and regulations.

SECTION IV WILDLIFE COLLECTION

Article 43.- Collection of wild fauna for parent stock. Permits to collect wild fauna parent stock for breeding farms shall only be granted when demonstrated that no individuals of the species exist in another authorized management site, which can be acquired by the interested party.

Before beginning the application process for the collection of wild fauna, the applicant must have an approved management plan and the corresponding operating permits for the site where the collected animals are to be kept, if applicable. Additionally, the management plan must include the potential needs of the new species collected as parent stock.

Article 44.- Authorization request for collection of wild fauna for parent stock. The interested party shall submit the corresponding application in accordance with article 14 of these Regulations. The techno-scientific study must also be presented and the applicant must fulfill the requirements set forth in the following article.

Article 45.- Techno-scientific study for collection of wild fauna for parent stock. In addition to the corresponding SINAC form, the interested party shall submit a population study of the species to be collected in order to determine the impact of such a collection on the species population inhabiting the area. The study shall be prepared and signed by a professional with training in wildlife management and a member of the corresponding professional association. The interested party shall cover the cost of the study.

The study must contain:

- a. Introduction
- b. General and specific objectives
- c. Justification for the need to collect wild fauna
- d. Background on the need for collection
- e. Study area (administrative-political and cartographic location, type of life zone)
- f. Estimated size of the species population of interest in the area of collection
- g. Ecological aspects (behavior, biological characteristics, reproductive cycles, species migration seasons, among others) and the species' population status at national, regional and international level, interrelations.
- h. Possible impact of collection on the ecosystem and other populations
- i. Possible impact mitigation methods
- j. Number of individuals that are to be collected, migration seasons, best time of year to implement collection from an ecological perspective, sex, age, proposed method, among others
- k. Timeline
- l. Population monitoring method after collection
- m. Recommendations
- n. Bibliographic references relevant to the species and proposed management

The corresponding Conservation Area shall analyze the study and all relevant population details in order to approve or reject collection via administrative resolution. Authorization shall be denied if deemed collection will put the population at risk.

If determined that *ex situ* reproduction is necessary to ensure population conservation, specific Government coordinated measures shall be taken.

When collection entails endangered or low population species, SINAC shall analyze the study together with CONAVIS taking CITES enforcement and compliance into consideration.

This study shall be considered to be the assessment set forth in article 26 of the LCVS.

Article 46.- Resolution approving or rejecting collection of wild fauna for parent stock and collection permit issuance. After analyzing the technical study, SINAC shall issue a resolution approving or rejecting a fauna management site's authorization request for the collection of wild fauna for parent stock.

If the authorization request is approved, the interested party shall have 10 days to submit the following in order to obtain the corresponding license:

- a. Full name, i.d. card number and two passport size photos of persons for whom a collection permit shall be issued
- b. Receipt for payment of the collection of wild fauna for parent stock permit fees deposited into the Wildlife Fund
- c. Full name of the wildlife manager or *regente* of the management site where the parent stock is to be kept. He/she shall be in charge of collection.
- d. Timetable with the date or dates on which the authorized activity is to take place in order to follow up on actions implemented for the control or management of the species of wild fauna.

Once the interested party has submitted the required information, SINAC shall issue the collection permit in 15 days. Permits shall specify the full name and i.d. card number of the persons conducting the collection as well as location, term of validity, authorized species and number of specimens.

Under no circumstance shall collections be conducted in protected areas.

CHAPTER VI

EX SITU CONSERVATION AND MANAGEMENT OF WILD FAUNA

SECTION I

USE OF WILD FAUNA

Article 47.- Lease of wild fauna collections or individuals. Under no circumstances shall species of wild fauna be offered for lease.

Article 48.- On falconry and similar techniques involving mascotization. Falconry and similar techniques entailing captivity and training of wild animals to be used to hunt, for entertainment or similar purposes shall not be allowed in our country.

Article 49. Use of wild animals in audiovisual activities. In order to use wild fauna in advertising campaigns, documentaries, journalist reports, filming and other similar activities, the Protocol prepared by SINAC for this purpose must be followed.

Images and messages communicated using this audiovisual material shall enhance respect for wild fauna, its natural needs and behaviors, comply with applicable regulations and shall not promote mascotization or illegal captivity.

All audiovisual productions using wild fauna shall include the following text in the credits and its readability must be ensured: "Wild fauna must remain in its natural habit and conditions. Filming in Costa Rica enhances respect for wild fauna and flora and its conservation".

Use of images or videos depicting people in direct contact with wild fauna shall only be allowed in veterinary or techno-scientific procedures needed for the conservation and wellbeing of the wild animal and shall only be carried out by trained technical personnel from the management site. Handling of wild fauna by visitors, volunteers, tourists or others shall not be allowed. Entry into holding pens and enclosures shall be restricted and only technical personnel shall have authorized entry.

In those cases where wild specimens are to be transported outside the management site where they are kept in custody, the interested party shall submit a written request for authorization to the Conservation Area where the management site is located. The request shall include date of transfer, number and type of animals, objectives of the audiovisual activity, veterinary and biologist in charge of management, transportation and management conditions, management equipment, and amount of time the animal will remain outside the management site, in addition to other information specified in the corresponding protocol.

SINAC shall assess the request and issue an administrative resolution accepting or rejecting transport and management of the animals for the specific activity. Only certain species of unreleasable birds, reptiles and amphibians shall be authorized to leave the management site; however, authorization shall be considered on a case-by-case basis. Conditions granted shall be specified in the administrative resolution.

The Conservation Area shall have 15 days to respond to a request.

If permission is granted, the interested party shall pay the corresponding amount and submit the original payment receipt to the Conservation Area.

Audiovisual material for non-commercial use produced by amateurs with the sole purpose of preserving memories shall be exempted from the procedure set forth in this article. However, they must respect wild fauna, its natural needs and behaviors, comply with applicable regulations and shall not promote mascotization behaviors.

SECTION II

WILD FAUNA EXHIBITIONS

Article 50.- Exhibitions. SINAC shall only authorize the exhibition of live wild fauna in authorized zoos and artisanal breeding farms with restricted management registered in the National Wildlife Information System. Authorization shall depend on site compliance with the provisions set forth in articles 20 and 21 of the LCVS, as appropriate, as well as these Regulations.

Article 51.- Live wild fauna exhibitions. The exhibition of live wild fauna shall only be allowed in zoos or artisanal breeding farms with restricted management that have the necessary permits.

Article 52.- Travelling or touring exhibitions. SINAC shall authorize travelling or touring exhibitions of dissected wild animals, their parts, products and byproducts with the sole purpose of providing environmental education in schools nationwide. The collection must be registered in the National Wildlife Information System.

In order to authorize this type of exhibition, the interested party shall submit the application in accordance with article 14 of these Regulations together with a travelling or touring exhibition proposal that includes the following: objective, target group(s), description of main themes, type of activity during exhibition, specimens to be exhibited and unique i.d. number, and an exhibition design or sketch.

Authorization granted by SINAC shall not rule out compliance by the interested party with other requirements set forth by other public or private agencies.

The administrative resolution shall establish the specific terms and conditions that must be met during the exhibitions and authorization shall be granted for a maximum three-year renewable term. The resolution shall authorize transportation of the collection.

SECTION III

REINTRODUCTION OF WILD FAUNA

Article 53.- Reintroduction of wild fauna. Wild fauna shall only be reintroduced by authorized rescue centers. They shall also reintroduce fauna from scientific and academic collections when done immediately following capture.

In order to reintroduce wild fauna, sanitary and ethological evaluations shall be performed on the organism or organisms involved and the cost of these evaluations shall be covered by the rescue center in charge. Additionally, a transport bill of lading shall be required when transporting the individuals outside rescue center facilities in accordance with article 78 of these Regulations.

For the purposes of article 24 of the LCVS, the management plan of the rescue center conducting reintroductions shall include a release program and specific action plan per taxonomic group. It must also comply with official SINAC management protocols for these sites.

The provisions contained in this article shall apply to wild animals in captivity more than 72 hours.

Article 54.- Release of wild organisms back into their natural habitat within 72 hours or less of capture. In order to release wild animals back into their natural habitat within 72 hours or less of capture, sanitary, ethological and genetic evaluations shall not be performed, unless the animal is seriously wounded or shows symptoms of disease and requires specialized attention and care.

Animals shall be released close to the original capture site or in the species' natural area of distribution, which meets the necessary conditions for survival.

Article 55. Sanitary evaluations for candidates for release held in captivity for more than 72 hours. The rescue center in charge of their reintroduction shall verify that candidates for release have undergone a comprehensive physical examination in order to

rule out the presence of potential pathogens that can affect wild populations. These exams shall be conducted pursuant to SINAC protocols, kept on file at the rescue center and submitted to SINAC in the quarterly reports prepared by the wildlife manager or *regente*.

Article 56. Genetic testing of candidates for release. SINAC, together with CONAVIS, shall develop national criteria for the genetic status of wildlife species populations according to taxonomic group. Where appropriate, these indicators shall be taken into consideration when making decisions.

Article 57.- Geographic origin of the candidates for release. Based on the well-founded criterion of the site's wildlife manager, the rescue center shall ensure candidates for release come from native population species. Specimens shall be released in their natural distribution areas, which meet all the necessary characteristics for the survival of the individuals. Criterion used shall be kept on file at the rescue center and submitted to SINAC in the quarterly reports prepared by the wildlife manager or *regente*.

Article 58.- Ethological evaluations of candidates for release. SINAC, together with CONAVIS, shall develop official protocols per taxonomic group to perform basic ethological evaluations.

Article 59.- Rescued animal risk factors. When SINAC officials rescue wild fauna, they shall proceed to analyze factors that put the individual at risk. In the case of a repetitive situation, SINAC shall coordinate implementation of appropriate preventive measures to prevent new cases.

Article 60. Pre-release holding pens. Given that these are conservation activities, SINAC shall give rescue centers authorization to install pre-release holding pens and carry out releases as well as design trails to move equipment and mobilize staff in forest covered areas causing as little impact as possible.

Article 61.- Process cost. The cost of these activities shall be covered by the rescue center in charge of reintroduction. SINAC shall subscribe cooperation agreements with rescue centers when these support the conservation of priority and endangered species or species of particular interest to the country.

SECTION IV

REINTRODUCTION OF WILD FAUNA

Article 62.- Reintroduction of wild fauna. In accordance with article 24 of the LCVS, the reintroduction of wild fauna shall only be carried out by non-commercial rescue centers or breeding farms. Therefore, the approved management plan shall include a reintroduction program, which shall be prepared according to the format set forth in official SINAC protocols. The reintroduction program shall contain specific management actions per species, ensure monitoring and follow-up, and identify success indicators. A technical analysis of the project shall be conducted in accordance with the most recent version of the IUCN Guidelines for Reintroductions and Other Conservation Translocations.

Article 63.- Veterinary examination and testing of candidates for release. The management site in charge of the release shall verify that the animals that are to be released have undergone a comprehensive physical examination in order to rule out the

presence of potential pathogens that can affect wild populations. These exams shall be conducted in accordance with SINAC protocols, kept on file at the rescue center and submitted to SINAC in the quarterly reports prepared by the wildlife manager or *regente*.

Article 64.- Origin of the candidates for release. Based on the well-founded criterion of the site's wildlife manager, the management center shall ensure candidates for release come from native population species. Specimens shall be released in their natural distribution areas, which meet all the necessary characteristics for the survival of the individuals. Criterion used shall be kept on file at the rescue center and the reintroduction shall be reported to SINAC in the quarterly reports prepared by the wildlife manager or *regente*.

Article 65.- Study on species population dynamics. Once the viable population of the focal species has been defined, the management site shall analyze the project's success indicators, which shall show the results of monitoring and reproduction, among others.

SECTION V

MITIGATION TRANSLOCATIONS AND REINTRODUCTIONS

Article 66.- Planning for rescue, mitigation translocations and reintroductions. The environmental impact study shall include a plan for wild fauna rescue, mitigation translocation and reintroduction. SETENA shall send the environmental impact study to SINAC and they shall have a month to provide a technical opinion.

Article 67.- Developer's responsibility. The developer shall implement the necessary measures to minimize impact on affected species populations and individuals. Specific procedures at the site or project shall be carried out by wildlife professionals or veterinarians hired by the authorized developer for this purpose. Professionals shall have training in wildlife management and must be members of the corresponding professional association.

Mitigation translocations and reintroductions shall take place in coordination with an authorized rescue center that shall provide advice on wildlife rescue and release actions.

Article 68.- Wild fauna that cannot be immediately released. Wild animals that cannot be immediately released shall be handed over to the authorized rescue center that is acting as project consultant in order for the animals to recover or to be raised. The rescue center and developer shall agree on the cost of managing and taking care of these animals including post-releasement follow-up.

SECTION VI

WILD ANIMAL EUTHANASIA

Article 69.- Euthanasia. In accordance with article 23 of the LCVS, euthanasia shall only be performed by a veterinarian, who must be an active member of the Costa Rican Veterinary Medical Association, or under his/her direct supervision.

Article 70.- Methods of euthanasia. Methods for the euthanasia of animals shall meet the principals of animal wellbeing causing the individual a minimum of pain and suffering.

When euthanizing animals, the veterinarian conducting or directly supervising the process shall follow official SINAC euthanasia protocols.

Article 71.- Technical justification. Each time a wild animal is euthanized, a report shall be prepared technically justifying the procedure. It must be signed by the veterinarian in charge and site wildlife manager or *regente*. This shall also be entered into the management site logbook and a copy of the report shall be included in the quarterly reports sent to SINAC and prepared by the wildlife manager or *regente*.

Article 72.- Euthanasia practiced by SENASA. In those cases where SENASA euthanizes native wildlife individuals or individuals of exotic species identified as wildlife by their country of origin, they shall inform SINAC in writing – in accordance with current regulations – explaining the circumstances.

Article 73.- Products and byproducts of euthanized fauna. Products and byproducts from a euthanized specimen shall be authorized for use by:

- a. Institutions of higher education for research or teaching purposes
- b. Government museums
- c. SINAC, for use in environmental education programs

In those cases where no institution has any interest in these products or byproducts, they shall either be buried or incinerated pursuant to good environmental practices.

Article 74.- Procedure to request authorization to use products and byproducts of euthanized fauna. Based on the previous article, institutions interested in using products or byproducts of a euthanized specimen shall submit the corresponding application form to SINAC. This form shall include applicant's identifying information, number of individuals per species and other details of interest.

SINAC shall issue a resolution authorizing or rejecting use. If accepted, SINAC shall also issue a delivery slip and register the products and byproducts in the National Wildlife Information System.

SINAC shall have five days to respond to the request.

Article 75.- Euthanasia on humanitarian grounds. When a seriously ill or dying wild animal must be euthanized, SINAC shall coordinate euthanasia with veterinary clinics in the area. Veterinarians conducting euthanasia shall follow the official SINAC euthanasia protocols.

SECTION VII

NON-COMMERCIAL REPRODUCTION FOR PURPOSES OF CONSERVATION

Article 76.- Non-commercial reproduction in breeding farms. SINAC shall coordinate non-commercial reproduction programs for purposes of conservation with breeding farms when it has been scientifically determined that one or several species are in need of this. The objective of this reproduction shall be to release the animals born in captivity or create a gene bank.

Article 77.- Reproduction of endangered species or species with reduced populations. The captive breeding of endangered species or species with reduced

populations shall only be authorized when scientifically demonstrated that this type of management shall support the conservation of these species.

SECTION VIII

WILDLIFE TRANSFER AND TRANSPORT

Article 78.- Wildlife transport. Transport of wild fauna, its products and byproducts shall require SINAC's authorization and official transport guidelines shall be issued for use nationwide.

The management site wildlife manager or *regente* shall fill in the official transport bill of lading, which must then be sealed and signed by the corresponding Conservation Area. This process shall take no more than one business day. In the event of an emergency transfer outside business hours, the wildlife manager shall fill in the transport bill of lading and issue a certificate explaining the circumstances that required immediate transport. These documents shall be submitted to the Conservation Area within three business days.

When transport is between Conservation Areas and carried out by a SINAC official, he/she shall immediately present the management site delivery slip to the Conservation Area to where the animal was transferred.

Article 79.- Transport of wild fauna for research. When individuals of species of wild fauna, their products or byproducts are transported for research purposes, the resolution granting authorization shall expressly authorize specimen transportation and therefore, a transport bill of lading shall not be required. The permit holder must carry a copy of the resolution at all times during transport.

Article 80.- Transport of turtle eggs from the Ostional National Wildlife Reserve egg collection project. Turtle eggs from the Ostional National Wildlife Reserve egg collection project shall not require SINAC official transport bills of lading. Eggs shall be transported in official plastic bags with the logo of the Ostional Association for Integral Development (ADIO) and the original commercial invoice issued by ADIO.

Article 81.- Transport of butterfly pupae. A purchase invoice shall be required when transporting wild butterfly pupae bought from a commercial breeding farm with authorization to sell in the country. The invoice must specify species, number of pupae and the number of the resolution authorizing breeding farm operation, which is why no transport bill of lading shall be required.

Article 82.- Transport of wildlife without the corresponding authorization. If individuals, products or byproducts from wild fauna species are discovered and being transported without the corresponding authorization, they shall be seized and a report shall be filed for infringement of article 95 of the LCVS. SINAC shall be in charge of the technical management of the seized individuals to ensure their wellbeing and transfer to a rescue center or the correct disposal of the products and byproducts.

Article 83.- Custody transfer of wild fauna between management sites. In order to transfer a wild animal from one management site to another, the wildlife manager or *regente* of the management site where the specimen is located shall request written

authorization from the corresponding Conservation Area as proof of approval by the *regente* of the management site to where the specimen is to be transferred.

Before approval, the Conservation Area must ensure the destination management site meets LVCS requirements and these Regulations. It shall also make sure the species is included in their management plan. A resolution approving or rejecting transfer shall be issued. If approved, the resolution shall expressly authorize specimen transportation. SINAC shall have a maximum of 30 days to answer.

SECTION IX

WILD FAUNA MANAGEMENT SITES

Article 84.- Fauna management sites. After verifying compliance with LVCS requirements and these Regulations, SINAC shall only be able to authorize the following fauna management site categories :

- a. Non-profit rescue centers
- b. Commercial and non-commercial zoos
- c. Commercial and non-commercial breeding farms
- d. Artisanal breeding farms with management restricted to species listed in article 117 or arthropods in accordance with article 118 of these Regulations.
- e. Aquariums

Article 85.- Environmental impact assessment. For the purposes of article 26 of the LVCS, the management plan shall be regarded as the LVCS-required assessment. Additionally, the interested party shall comply with SETENA regulations in terms of the environmental impact evaluation - where applicable – as well as municipal permits and permits issued by the Ministry of health and SENASA.

Article 86.- Requirements for issue of operating permits for fauna management sites. When applying for the registration of a wild fauna management site and an operating permit for any of the categories specified in the article above, the requirements set forth in article 14 of these Regulations must be met. Additionally, the following information must be submitted:

1. Printout and digital version of the management plan prepared by the wildlife manager or *regente*
2. Wildlife manager's full name, i.d. card number and profession
3. Use of soil certificate issued by the corresponding Municipality
4. Comply with the provisions set forth by the Costa Rican Veterinary Medical Association in terms of animal health in wild fauna management sites and consultancy services. Copies of the corresponding permits issued by this professional association shall be submitted to SINAC, as appropriate.

After submitting these requirements, SINAC shall have 20 calendar days to ensure the application is complete and meets all the requirements set forth in the LVCS and these Regulations. If incomplete, SINAC shall notify the interested party indicating any missing items or the need to submit additional information. Should the applicant fail to comply, the application shall be deemed abandoned. The interested party must submit the required

information within a maximum of 10 business days or submit a duly justified request for an extension.

SINAC shall have 45 days to analyze the application. During this time, an official from the corresponding Conservation Area shall visit the place where the management site is to be established and prepare a written report, which shall be included in the corresponding administrative file. If management plan analysis and site inspection reveal the need for technical adjustments, the aforementioned report shall include measures to be implemented and a timeline for implementation. The applicant shall be informed of the report in order to be able to implement these measures. The Conservation Area shall conduct a new inspection to determine compliance. Management plan approval shall depend on full compliance with these measures. In the event of non-compliance within the allotted time, the application shall be rejected.

If management plan analysis and site inspection reveal the need for technical adjustments, the aforementioned report shall include measures to be implemented and a timeline for implementation. The applicant shall be informed of this in writing and must correct these non-compliances or make adjustments to the management plan in order to continue with the process.

Article 87.- Management plan. All wildlife management sites must have a management plan prepared by a duly registered wildlife management professional. If necessary, the Conservation Area shall ask for clarification, modifications or additional information regarding this technical document.

Article 88.- Management plan format. The management plan shall include:

a. Cover sheet:

1. Project name, name of the owner(s), address or other means of contact (P.O. box, telephone number, fax number, email)
2. Identifying information of the wildlife manager or *regente* registered with SINAC, including full name, license number, telephone number, fax number, email
3. Type of management site to be authorized

b. Introduction: background, general and specific objectives

c. Technical justification for the activity: The proposed management plan must be supported by at least 20 techno-scientific bibliographical references. The justification shall be drafted in accordance with the IUCN Species Survival Commission Guidelines on the Use of *Ex Situ* Management for Species Conservation.

d. Area location:

1. Political and administrative location
2. Geographic location including map sheet or image with geo-coordinates

e. Description of project area: Project site, neighboring communities, biological environment, climate, land use, soil classification and life zone.

f. Biological and ecological description of the wild species to be managed.

g. Site management:

1. **Animal feeding:** Diet according to species, age, condition of the individual and site objectives; water for the animals.

- 2. Animal marking:** Methods for groups and numbering to be used. If physically possible, the SINAC Protocol for Wildlife Marking should be followed.
- 3. Animal health program:** It must be prepared and implemented by a veterinarian with experience in wildlife according to site classification. The animal health program shall at least include vaccination, veterinary examinations and implementation of official SINAC protocols, among others. This requirement shall not apply to management sites that exclusively manage arthropods.
- 4. Environmental education program for zoos shall include:**
 - i. Justification
 - ii. Objectives and target group
 - iii. Methodology
 - iv. Annual timetable with activities to be implemented
 - v. Program evaluation, impact indicators, description of lectures, among others
 - vi. Description of community outreach activities (workshops, fairs, among others)
 - vii. Guided tours
- 5. Environmental education program for artisanal breeding farms with restricted management shall include:**
 - i. Justification
 - ii. Objectives
 - iii. Methodology
 - iv. Annual timetable with activities to be implemented
 - v. Impact indicators, program evaluation and lecture topics
 - vi. Description of community outreach activities (workshops, fairs)
 - vii. Description of topics for guided or self-guided tours
- 6. Personnel training program:** Must include training on topics related to emergency management, biosafety, induction for new personnel, among others, in accordance with SINAC protocols. Site personnel regulations shall also be included.
- 7. Volunteer programs:** Volunteer requirements (including medical history, physical/clinical examinations, immunizations), profile, minimum stay, permitted activities (environmental education, food preparation, enrichment), volunteer recruitment, costs covered by volunteers, biosafety training, emergencies and site regulations for volunteers.
- 8. Infrastructure development and maintenance program.** It shall include all construction processes for new enclosures, maintenance of these, trails and other site infrastructure.
- 9. Enclosure enrichment and ambiance enhancement program:** Timetables, activities, follow-up, periodic ethograms.
- 10. Research programs:** In the event the management site intends to conduct research, it must provide a general description of research topics, objectives and persons responsible. Prior to conducting research, the corresponding research permits must be obtained from SINAC or CONAGEBIO, as appropriate.

- 11. Description of parent stock origin:** Copy of tax invoices; purchase, capture and handover permits; seizures per individual.
- 12. Plan for collections from habitat:** The corresponding permit shall be obtained and applicable requirements set forth in these Regulations must be fulfilled.
- 13. Plan for the disposal of dead animals:** In accordance with these Regulations and SINAC protocols.
- 14. Files for each animal:** A hardcopy or digital file shall be kept for each animal with information on the individual's admittance, health and wellbeing, management and disposal. This requirement shall not apply to arthropods.
- 15. Registration forms:** For all management processes carried out on site (admittance, medical treatments, euthanasia, transfers, releases and sale, as appropriate).
- 16. Collection plan for non-commercial zoos and breeding farms:** An analysis of all specimens and species that are to be kept at the management site, including age and sex. It shall be updated in November each year and a copy shall be submitted to the Conservation Area.
- 17. Rescue center carrying capacity:** An analysis of the site's carrying capacity, species of interest for release.
- 18. Species of interest and carrying capacity for non-commercial zoos and breeding farms:** List of species of interest and intended numbers to be held in permanent captivity or to be included in reproduction programs. It shall be updated in November each year.
- 19. Reproduction plan for non-commercial breeding farms:** Species, plan objectives and justification, reproduction procedures. Plan to ensure parent stock wellbeing, detailed description of how specimens born in captivity are to be handled and acquisition needs. Genetic erosion mitigation measures.
- 20. Reproduction plan for commercial breeding farms:** Species, plan objectives and justification, reproduction procedures. Plan to ensure parent stock wellbeing, detailed description of how specimens born in captivity are to be handled and acquisition needs. Genetic erosion mitigation measures, prevention of endogamy except where considered technically and scientifically appropriate.
- 21. Commercialization program for commercial breeding farms:** Potential client profile, sales schedule, approximate number of individuals to be sold.
- 22. SINAC protocol adaptation and compliance, as appropriate:**
 - i. Admittance
 - ii. Quarantine
 - iii. Reproduction
 - iv. Rehabilitation and readaptation
 - v. Release and monitoring
 - vi. Euthanasia
 - vii. Animal and human biosafety
 - viii. Contraception in zoos and rescue centers
 - ix. Contingency in case of emergency, natural disasters and escaped animals

h. Facilities:

- 1. Scale plan of the facilities:** Must include all enclosures, cages, infrastructure on the property, zoning.
- 2. Enclosure and cage designs:** All wildlife management sites shall include the corresponding enclosure and cage designs, number of enclosures and size, building materials, ambiance enhancement and number of specimens per enclosure. Safety measures for wild animals, personnel and visitors shall also be included. A contingency plan must be in place to immediately address any unforeseen safety issues and reduce risk and vulnerability. Infrastructure design and building materials used must take into consideration the ecological and ethological requirements of each species. Enclosures must have sufficient space, areas for animals to rest, an area sheltered from the sun and rain, places to hide, live plants, enough feeders and watering troughs. Additionally, they must meet SINAC protocol requirements in terms of enclosure size and other specifications set forth for each taxonomic group.
 - i. **Safety barriers:** All wildlife management sites shall have at least two safety barriers. The first barrier shall be the enclosure itself. Zoos and artisanal breeding farms with restricted management shall have a second barrier situated at a distance of at least one meter from the first barrier in order to ensure visitors do not touch the first barrier. Perimeter barrier: all fauna management sites shall have a perimeter barrier to separate the facilities from neighboring properties and serve as a barrier in the event of an animal escape.
 - ii. **Species of venomous snakes:** In the specific case of zoos housing species of venomous snakes, the infrastructure shall take into consideration risk situations such as natural disasters, fires and theft, among others, in order to ensure animals do not escape or cause harm to humans and wild and domestic animals. Three safety barriers must be built to separate snakes and visitors.
 - iii. **Covers for drains and drain pipes:** Drains situated inside enclosures shall be covered to prevent animals from escaping through drain pipes.
 - iv. **Cages or enclosures with glass:** Special safety glass shall be used for cages or enclosures with glass.
 - v. **Arthropod management sites:** These shall have safety doors to prevent animals from escaping when visitors enter and exit the enclosure. The corresponding biosafety measures shall also be in place.
 - vi. **Double door and containment area:** All enclosures shall have safety doors to prevent escapes when entering. They shall also have a containment area to be used in the event of medical treatment, enclosure repairs or ambiance enhancement.
- 3. Food preparation room:** It shall be used exclusively to prepare food for animals and must be separate from other areas. A description of the food preparation room layout must be included. This requirement shall not apply to management sites that exclusively manage arthropods.
- 4. Veterinary clinic:** A description of furniture and equipment. The clinic must at least be equipped to attend emergencies. A description of where veterinary procedures that cannot take place at the site due to lack of equipment (e.g. x-ray machine, ultrasound and surgical equipment, among others) are to take

place. This requirement shall not apply to management sites that exclusively manage arthropods.

- 5. Animal quarantine area:** A description of the facilities, which must be completely separated from the rest of the facilities, divided by taxonomic groups and must have physical and visual barriers separating this area from others. Its main objective is to prevent the transmission of diseases. It must comply with the provisions set forth in the corresponding protocol.
- 6. Bioteriums, herb/vegetable gardens or host plants, as appropriate:** Description of the place, species to be used and management in general.
- 7. Administrative area:** A description of the facilities.
 - i. Sewage treatment designs:** Approved by the Ministry of Health. Attach written approval.
 - j. Waste management:** Ministry of Health approval certificate for the solid waste management plan including bioinfectious material and chemicals.
 - k. Project feasibility and financing:** All sites shall submit a pre-feasibility study and financing plan to ensure feasibility and compliance with the site's management plan, according to a five-year forecast. Possible sources of financing must be included.
 - l. Personnel:** List of personnel to be hired, academic training, experience, i.d. card number, function, work schedules and organization chart.
 - m. Wildlife manager or regente:** Wildlife manager's profession and number of hours devoted to work at site.
 - n. Internal and external regulations:** When visiting the site, biosafety protocols for visitors and other people who must enter the site, as appropriate.
 - o. Tours (for zoos and artisanal breeding farms with restricted management):** Access/evacuation routes, restricted areas and trails for visitors to be able to tour the facilities in an orderly and logical manner pursuant to the management site's objectives and environmental education plan.
 - p. Shutdown plan:** Plan to relocate specimens in the event of shutdown. A section on shutdown-related costs must also be included.
 - q. Plan for management plan follow-up and evaluation**

Article 89.- Resolution approving or rejecting the management site's operating permit. Once the application has been reviewed, SINAC shall issue a resolution approving or rejecting the management site's operating permit application.

If approved, the interested party must submit the following within 15 days:

- a. Copy of the wildlife manager or *regente's* contract specifying terms and conditions of employment. Contract must take into consideration the duties and obligations of the *regente* as set forth in these Regulations.
- b. Logbook with numbered pages approved by the corresponding Conservation Area.
- c. Annual operations plan: Operations plan for the first year of operations and every year after that.
- d. Original receipt for payment of the management site registration fees deposited into the Wildlife Fund.

Article 90.- Term for management site to commence operations. Once the permit has been granted, the permit holder shall have 180 calendar days for the authorized wildlife

management site to begin operations. Otherwise, the permit shall expire and the file shall be closed in accordance with article 264 of the General Public Administration Law, without Government liability.

Article 91.- Term of fauna management site operating permit. Permits for zoos, rescue centers and breeding farms shall initially be issued for a maximum of three years.

Permits for zoos, commercial and non-commercial breeding farms and rescue centers shall be renewed for a maximum term of five years, whereas renewal for artisanal breeding farms with restricted management shall be for a maximum term of three years.

Article 92.- Use of logbook. All management sites shall have a SINAC-approved logbook. This logbook shall be used to record all wildlife management related activities carried out by the site administrator and *regente* as well as the occurrence of any extraordinary events. Inspections performed by SINAC personnel, together with their technical recommendations and how to implement these, shall also be recorded in the logbook.

Article 93.- Management site supervision. Once the management site has begun operations, officials from the corresponding Conservation Area shall visit the site at least once every three months. A report shall be prepared after each inspection detailing site conditions, recommendations and observations.

Article 94.- Renewal of management site operating permit. In order to renew the management site operating permit, the interested party must submit to SINAC a written application and a report prepared by the *regente* on the fulfillment of management plan objectives. This must be done one month before the permit is due to expire.

The report shall include principal achievements and assessment of processes implemented. SINAC shall use the Protocol for the assessment of compliance with management plan objectives for zoos, rescue centers and breeding farms.

The Conservation Area shall conduct an integral analysis of site functioning, including the report submitted and processes implemented, compliance with recommendations, instructions and applicable regulations, among others. The results of the analysis shall allow SINAC to determine whether a management plan update is necessary due to significant changes in site objectives, wild animal management or administrative changes, among others. This shall be recorded in the site's administrative file.

SINAC shall have one month to prepare the integral analysis report and issue a resolution approving or rejecting the application for renewal of the site's operating permit.

SECTION X

ON WILD ANIMAL SEIZURE, RESCUE OR HANDOVER

Article 95.- Interinstitutional coordination of rescue actions. SINAC shall coordinate rescue actions with other government entities and define the necessary mechanisms to ensure wildlife management is conducted according to techno-scientific criteria and by personnel with wildlife management training.

Article 96.- Temporary custody of wild animals that have been seized, rescued or handed over. In those cases where a wild animal has been seized, rescued or handed over and cannot be immediately transferred to a rescue center, SINAC shall keep these animals in temporary custody ensuring implementation of correct management practices and providing appropriate food and enclosures. The specimen must be transferred to a rescue center as soon as possible and the animal's wellbeing must always be ensured.

Wildlife specimens must be kept completely separate from domestic animals, out of the way of humans and vehicles and away from artificial lights at night, among others. Access to these areas shall be restricted to those employees in charge of the animal, who must have the necessary equipment and training to appropriately manage the specimen.

Article 97.- Placement of animals that have been seized, rescued or handed over. Animals seized, rescued or handed over to SINAC officials or other Government authorities shall only be taken to rescue centers and this must be done within the shortest possible time. The rescue center shall assess the animal to determine appropriate placement depending on condition and species. If the animal cannot be released or belongs to a species not included among those that can be accepted by the rescue center, SINAC officials and the rescue center shall look for an appropriate placement solution for the animal.

Article 98.- Temporary admittance of wild animals rescued by private individuals and delivered to management sites that are not rescue centers. A wildlife management site that is not registered as a rescue center can only accept wild animals delivered by private individuals due to a medical emergency and under temporary admission status. Specimen admittance shall be recorded in the site's logbook. The management site must have an admittance form, which includes the date and time the animal was admitted, name, i.d. card number and telephone number of the person who delivered the animal, reason for delivery, provenance of the animal, species and overall condition of the individual, signature of the person delivering the animal and two witnesses.

Once the animal's condition has improved, SINAC shall transfer it to a rescue center capable of taking care of the animal.

In the case of individual wild animals, young and newborn animals of species classified as endangered, with reduced populations, included in the CITES Appendices, or marine species, the site must report temporary admittance to SINAC within 24 hours. In the case of other species, the management site must notify SINAC in writing of such an admittance within a maximum of 48 hours.

Final placement of the wild specimen shall depend on its condition, on whether it is a candidate for release, a candidate to be included in a reproduction program for purposes of conservation or environmental education, or whether it shall be taken care of on humanitarian grounds or euthanized. If the animal cannot be released, SINAC shall determine whether the site of original admittance meets the necessary requirements to maintain the animal in permanent captivity, whether the animal must be transferred to another site or euthanized.

In these cases, SINAC officials shall implement the official protocol for seizures, handovers and rescues.

Article 99.- On the handover of wild animals acquired unlawfully. Turning unlawfully-acquired wild animals over to SINAC officials or other Government authorities does not exempt the offender from legal sanctions. SINAC officials shall file the corresponding administrative and criminal complaints in accordance with the section on administrative orders, these Regulations and the LCVS.

SECTION XI

RESCUE CENTERS

Article 100.- Rescue centers. Rescue centers are non-profit management sites specializing in the care and rehabilitation of terrestrial or marine wild animals that have been seized, rescued or handed over to them, whose health or behavior requires specialized professional care and attention. They shall not be authorized to exhibit or reproduce wild animals and shall not be open to the public.

Registration of this type of facilities shall only be authorized to non-profit legal entities registered as such in the Public Registry.

Article 101.- Coordination between rescue centers and SINAC. With the exceptions set forth in article 98, rescue centers shall be the only management sites authorized to admit wild animals that have been seized, rescued or handed over and they shall work together with SINAC in this regard. SINAC officials shall coordinate directly with the rescue center to provide necessary support.

Article 102.- Release sites belonging to rescue centers. Rescue centers shall be authorized ownership of release sites outside rescue center facilities. These must be registered with SINAC. Wild animal management at release sites and information pertaining to these shall be included in the rescue center's management plan, which must be submitted to the corresponding Conservation Area. In those cases where release site and rescue center are not situated in the same Conservation Area, the Conservation Area approving the management plan shall be required to notify approval and permit issuance to the Conservation Area where the release site is located in order to ensure supervision. Supervision reports must be sent to the Conservation Area where the authorized rescue center is located and this Conservation Area shall retain decision-making power over the file.

Article 103.- Designation of official rescue centers for wild animals seized or rescued by SINAC and other government entities. SINAC shall designate official rescue centers to work together with the Government coordinating wild fauna conservation and management efforts. These sites shall adhere to international good practices.

In order to obtain designation as an official rescue center, centers must:

- a. Submit a written application to the SINAC Secretariat
- b. Comply with all the requirements for site functioning and fauna management set forth in the LCVS and these Regulations.

- c. Provide proof of experience in wild fauna rescue, rehabilitation and release as well as their contribution to wildlife conservation and management by means of scientific journals and participation in projects of national interest.
- d. Have a multidisciplinary team made up of committed individuals with adequate training and expertise in order to take care of wild animals as best possible.
- e. Have at least one cooperation agreement in this field with a duly accredited public university in order to strengthen academic and scientific rigor of processes implemented.
- f. Provide evidence of infrastructure ownership and at least 10 years of experience in wild fauna care, rehabilitation and readaptation.
- g. Be a GFAS-certified rescue center.
- h. Be up to date on employer obligations in accordance with article 74 of CCSS Organic Law, No. 17, which shall be verified through SICERE.

The Executive Secretariat shall coordinate preparation of the applicant's file with the corresponding Conservation Area.

SINAC shall have 30 days to respond to the application. Designations shall have a five-year validity, renewable for additional five-year periods. Renewal shall be granted after verification of renewal requirements.

Sites designated as official rescue centers shall be able to subscribe cooperation agreements with SINAC in order to obtain economic, technical and in-kind resources as well as join efforts to procure local and foreign funding. Resource allocation shall depend on applicable provisions and regulations.

SECTION XII

ZOOS

Article 104.- Exhibition of wild fauna. In those cases where it has been technically established that a wild animal cannot be released back into its natural habitat and is a candidate for exhibition, its permanence in captivity shall be used to create public awareness of the issues facing wildlife and their ecosystems through educational programs in association with zoos.

Article 105.- Zoos. Zoos are commercial and non-commercial management sites authorized to exhibit wild fauna. They shall be authorized to carry out conservation and educational programs, exhibitions and research. They shall not be authorized to rescue, release, reintroduce or reproduce fauna. These sites must have a contraception plan in place for wild animals held in captivity and this plan must be included in the management plan.

Article 106.- Commercial zoos. Commercial zoos shall be authorized to legally acquire wild animals for display, provided these are included in their collection plan. Therefore, they must keep records demonstrating the origin of each specimen and apply for the import and commercialization permits set for in these Regulations. These sites shall not be authorized for reproduction.

Article 107.- Non-commercial sanctuary-type zoos. Non-commercial sanctuary-type zoos shall only display wild animals that cannot be released due to physical or behavioral

problems caused directly or indirectly by humans. They shall not be authorized to buy, sell or exchange wild animals.

Article 108.- Environmental education program. Zoo environmental education programs must support the conservation of wild animal species held in captivity and their ecosystems. These must include, among other aspects, daily activities visitors are able to implement in order to contribute to wildlife conservation in our country.

SECTION XIII

BREEDING FARMS

Article 109.- Non-commercial breeding farms. SINAC shall authorize the establishment of non-commercial breeding farms, which shall be devoted to the reproduction of threatened species or species requiring this type of management to strengthen or reintroduce populations. Under no circumstances shall they be authorized to commercialize the animals they breed. Management plan evaluation for these sites shall be conducted in accordance with the latest version of the IUCN Species Survival Commission Guidelines on the Use of Ex Situ Management for Species Conservation and IUCN Guidelines for Reintroductions and Other Conservation Translocations.

Article 110.- Commercial breeding farms. SINAC shall authorize the establishment of commercial breeding farms, which shall be devoted to the reproduction of species for commercialization.

Article 111.- Legal origin of breeding farm parent stock. Once breeding farms have established or increased their parent stock, the wildlife manager or *regente* shall notify the corresponding Conservation Area in writing and submit documentation proving the legal origin of the wild animals, including the collection permit or corresponding invoices.

Article 112.- Permit for sale of fauna bred in commercial breeding farms. Commercial breeding farms shall be authorized to breed and sell wild fauna to other management sites as breeding stock, to be displayed in zoos, exported abroad or sold for their products and byproducts.

Commercialization of species declared to be in danger of extinction, with reduced population or included in CITES Appendices I and II, shall only be allowed as of third generation specimens (F3) pursuant to the approved management plan of the site.

The wildlife manager or *regente* must submit a written application to the corresponding Conservation Area requesting authorization to commercialize the specimens of interest, products or byproducts. The application must include the genealogical relations of the animals that are to be sold demonstrating generation in captivity. The Conservation Area shall have 30 days to respond.

Under no circumstances shall the sale of live wild fauna be authorized to be used as pets in the country.

Article 113.- Sale of fauna bred in commercial breeding farms. The commercial breeding farm shall only be able to commercialize fauna bred on site, their products or byproducts until after the corresponding permit has been issued.

The management site must issue tax invoices for each of the specimens or groups of products or byproducts sold.

Additionally, the wildlife manager or *regente* shall record the number of animals bred and specimens, products or byproducts commercialized in his/her quarterly reports.

Article 114.- Meat production. In accordance with the articles above, commercial breeding farms shall be authorized to sell meat from wild species they breed. Additionally, they must adhere to national regulations for the commercialization of wild fauna meat.

Article 115.- Commercial arthropod breeding farms. SINAC shall authorize the establishment of commercial arthropod breeding farms, which must adhere to the provisions set for in these Regulations pertaining to wild fauna management sites and domestic and international commercialization.

Domestically, commercialization shall only be authorized for the purpose of rearing parent stock in other management sites, to display in zoos, make crafts and for export.

Article 116.- Commercialization quotas. Commercial breeding farms authorized to sell wild fauna shall define maximum commercialization quotas together with the corresponding Conservation Area. This shall be done taking into consideration the wildlife manager's technical criterion as well as inventories and inspection reports. SINAC shall issue an administrative resolution specifying the authorized commercialization quota.

Article 117.- Artisanal breeding farms with restricted management. SINAC shall only authorize the following species in artisanal breeding farms with restricted management:

- a. Deer (*Odocoileus virginianus*)
- b. Tepezcuintles (*Cuniculus paca*)
- c. Guatusas (*Dasyprocta punctate*)
- d. Iguanas (*Iguana iguana*)

Artisanal breeding farms with restricted management shall comply with the provisions set forth in these Regulations for wild fauna management sites.

These sites shall only be authorized to commercialize animals bred to supply parent stock to other artisanal breeding farms with restricted management. Subsistence consumption of animals bred in the site shall also be allowed. Visitors shall be allowed in accordance with the authorized management site's environmental education program.

In the case of breeding farms registered by academic institutions, the management plan must include detailed information on animal management during the academic year and holidays.

Article 118.- Artisanal arthropod breeding farms with restricted management. These sites shall comply with all provisions set forth in these Regulations for wild fauna management sites. In accordance with the management plan, authorization may be issued to breed butterflies and other species of arthropods. Authorization may be granted for guided or self-guided tours pursuant to the environmental education program contained in the site's management plan. These sites shall only be authorized to commercialize the animals they breed to supply parent stock to other artisanal breeding farms with restricted management.

In the case of breeding farms of this type registered by academic institutions, the management plan must include detailed information on animal management during academic years and holidays.

SECTION XIV

AQUARIUMS

Article 119.- Aquariums. SINAC shall authorize the establishment of aquariums, which shall be dedicated to the display of wildlife from marine or aquatic ecosystems, education, research and reproduction. These sites shall be able to work together with rescue centers to assist in the rescue, reintroduction or reproduction of marine or aquatic fauna.

Article 120.- Exhibition of marine or aquatic wild fauna. In those cases where it has been technically established that a wild marine or aquatic animal cannot be released back into its natural habitat and is a candidate for exhibition, its permanence in captivity shall be used to create public awareness of the issues facing wildlife and marine ecosystems through educational programs in association with aquariums.

Article 121.- Environmental education program. Aquarium environmental education programs must support the conservation of those specimens of marine or aquatic species held in captivity and their ecosystems. These must include, among other aspects, daily activities visitors are able to implement in order to contribute to wildlife conservation in our country.

SECTION XV

WILDLIFE MARKING

Article 122.- Marking of captive wild fauna. All animals held captivity must be marked in accordance with the SINAC Protocol for Wildlife Marking.

Article 123.- Marking methods. The following wild fauna marking and identification methods shall be authorized:

- a. Microchip
- b. When species characteristics do not allow microchip placement, the following shall be used:
 - i. Rings
 - ii. Tags
 - iii. Scale notching
 - iv. Other authorized new methods ensuring adherence to animal wellbeing standards.

Marking methods such as microchips, numbering and other technical details of fauna marking are set forth in the official Protocol for Wildlife Marking.

CHAPTER VII

***IN SITU* WILD FLORA**

SECTION I

EXPLOITATION OF WILD FLORA

Article 124.- Wild flora exploitation. Given the public interest status of wild flora, the exploitation of wild flora shall be permitted only upon prior express approval of SINAC in accordance with these Regulations.

Collection or extraction of flora shall be the authorized wild flora exploitation mechanisms. Collection or extraction may be:

- a. For commercial purposes
- b. Non-commercial or for subsistence
- c. As parent stock for flora management sites

When exploitation has been authorized, SINAC shall issue the corresponding collection permit in accordance with these Regulations.

Article 125.- Wild flora extraction and collection methods. Authorized wild flora extraction and collection methods are:

- a. Pruning
- b. Uprooting
- c. Partial or total cutting
- d. Structure separation
- e. Collecting from the ground and from fallen trees

Article 126.- Obtain an expert opinion. In accordance with article 52 of the LCVS, SINAC shall seek expert advice from scientific authorities and agencies, where appropriate, in terms of population status or fragility of those sites where species extraction is intended. This expert opinion shall be taken into consideration when approving or rejecting an application.

Article 127.- Technical studies of exploitable plant species. Within one year of the publication date of these Regulations, SINAC – together with public universities and other interested parties – shall coordinate several baseline technical studies to determine the sustainability of exploiting populations of certain plant species defined as exploitable.

Article 128.- Species of wild flora approved for commercial exploitation. In accordance with articles 51, 52, 53, 58, 59 and 60 of the LCVS, upon prior express approval of the owner of the property, SINAC shall be able to authorize extraction or collection on private land of the following species:

- a. **Mosses from pasture lands**, with the exception of white moss and others declared to be in danger of extinction or with reduced populations.
- b. **Palm leaves** of the following species used to build hut roofs and make crafts:
 1. Suita (*Calyptrogyne sp.*)
 2. Royal Palm (*Attalea butyracea*)
 3. Corozo, palmiche or yolillo (*Elaeis oleifera*)

In these cases, cutting of leaves shall be permitted provided the shoot apex remains with five leaves to protect it ensuring survival and correct management.

- c. **Royal palm** (*Attalea butyracea*) for extraction of heart of palm in pasture lands and open areas or forests under a forest management plan.
- d. **Caña brava** (*Gynerium sagittatum*) to build huts.
- e. **Coyol palm** (*Acrocomia vinifera*) to make wine according to traditional usage, in pasture lands and open areas.
- f. **Raicilla** (*Psychotria ipecacuana*) growing in secondary forests.
- g. **Bejuco bateita** (*Amphilophium paniculatum*) used to make crafts and in basketry, only plants from pasture lands, open areas and secondary growths.

In all cases, the applicant must conduct the corresponding technical studies in accordance with article 132 of these Regulations. Additionally, SINAC officials shall conduct an inspection prior to permit issuance. In the event of exploitation approval, SINAC officials shall provide technical recommendations to ensure species sustainability.

For the exploitation of wild flora from forest areas, permits to cut down trees in pasture lands, among other similar activities, SINAC shall assess the necessity of a technical study and shall notify the interested party of their decision.

Article 129.- Collection and extraction of caña brava. SINAC shall only authorize exploitation of *caña brava* (*Gynerium sagittatum*) in protected areas using the partial cutting method to ensure the root system is minimally affected and respecting the natural propagation behavior of the plant and species sustainability.

SINAC shall be able to authorize the exploitation of fifty percent of the mature canes of each stump when maturation is mixed.

When stumps are only made up of mature canes, SINAC shall be able to authorize exploitation of up to one hundred percent in management areas with a block configuration.

Exploitation of palm shoots shall not be permitted nor shall exploitation be allowed when flowering.

In those places where *caña brava* is a nesting site, SINAC shall authorize exploitation provided these species are not put at risk.

In order to obtain authorization for this type of management, the interested party must submit an application to the corresponding Conservation Area in accordance with article 131 of these Regulations.

Article 130.- Reproduction of raicilla. Exploitation of *raicilla* (*Psychotria ipecacuana*) shall be authorized when reproduced in areas outside the forest, in intervened forests and natural clearings under adequate management. In accordance with the exceptions set forth in article 19 of Forest Law N° 7575, SINAC shall be able to authorize the establishment of *raicilla* nurseries in intervened forests subject to the conditions set forth in the Forest Law and regulations.

The interested party shall register the activity as a commercial nursery and comply with the provisions set forth in the LCVS and these Regulations.

In the case of exports, the interested party must adhere to the provisions set forth in the LCVS and these Regulations.

Article 131.- Requirements to obtain authorization to exploit wild flora for commercial purposes or to be used as parent stock by flora management sites. In order to request authorization to exploit flora for commercial purposes or to be used as parent stock by flora management sites, applicants must:

1. Submit to the corresponding Conservation Area those requirements set forth in article 14 of these Regulations, as appropriate.
2. Submit the technical study specified in article 132 and prepared by a professional with training in wildlife management and a member of the corresponding professional association.

Article 132.- Technical study to obtain authorization to exploit wild flora for commercial purposes or to be used as parent stock by flora management sites. In order to obtain authorization to exploit flora for commercial purposes or to be used as parent stock by flora management sites, applicants must submit a technical study to SINAC prepared by a professional with training in wildlife management and a member of the corresponding professional association. Additionally, the application must comply with the requirements set forth in article 14 of these Regulations.

The technical study must include:

1. Cover sheet: name of owner(s), location and other general information, P.O. box, telephone number, fax number, email.
2. Professional's name, professional, license number, telephone number, fax number, email.
3. Area characteristics: current use, hydrology, use capacity, associated flora and fauna, protection areas, limits to exploitation.
4. Species population census or sampling in the area to be exploited and methodology to be used.
5. Current exploitation or management of the species.
6. Possible impact of exploitation on species population and other associated species.
7. Proposed extraction method and tools.
8. Mitigation measures, where appropriate.
9. Proposed timetable of activities for the sustainable exploitation of the resource over a minimum period of three years.
10. Should the interested party want to exploit private land belonging to someone else, the applicant shall be required to submit a letter of authorization signed by the registered owner of the land.
11. Maps and annexes.

Article 133.- Resolution authorizing exploitation of wild flora for commercial purposes or to be used as parent stock by a flora management site and issuance of collection permits. After analyzing the technical study, SINAC shall issue a resolution approving or rejecting the request for authorization to exploit wild flora for commercial purposes or to be used as parent stock by a flora management site.

If approved, the applicant shall have 10 days after notification to present the following documents and obtain a permit:

- a. Fill in form with full name and i.d. card number of the persons for whom a permit shall be issued.
- b. Submit a definite timetable with the date or dates for the authorized activity in order to follow up on actions implemented to control or manage the species of wild flora.
- c. Two passport size photos of each person authorized.
- d. Original receipt for payment of the collection permit fees deposited into the Wildlife Fund.
- e. In the case of the collection of parent stock for a flora management site, the full name of the wildlife manager or *regente* of the management site housing the specimens must be submitted. The *regente* shall be responsible for the parent stock collection.

Once the interested party has submitted the above specified documents, SINAC shall issue the collection permits within 15 days. Permits shall specify the full name and i.d. card number of those conducting exploitation activities as well as place, period and authorized species, authorization resolution number and permit validity.

Permit validity shall be specified in the authorization resolution and permit itself. Under no circumstances shall permit validity exceed 31 December of the year of issuance.

Exploitation in protected wilderness areas shall not be permitted, with the exception of National Wildlife Refuges with management plans authorizing exploitation.

Article 134.- Permit renewal or new permit to continue exploitation of wild flora for commercial purposes or to be used as parent stock by a flora management site. If the permit holder wants to continue exploitation of wild flora for commercial purposes or to be used as parent stock by a flora management site, the permit holder must apply for a renewal or new permit 30 days before expiration of the current permit.

To this end, the permit holder must submit the corresponding application to the Conservation Area in accordance with article 14 of these Regulations. Depending on the species and specialist recommendations, the Conservation Area may request a new technical study in accordance with article 132 of these Regulations or an update.

The Conservation Area shall have 15 days to determine via administrative resolution whether to renew the permit based on the same technical study or issue a new permit. In the event of a renewal, the administrative resolution shall state that the interested party has 10 days to pay the permit renovation fees and submit the original payment receipt. Once the interested party has submitted the receipt, the Conservation Area shall have five days to renew the permit.

Should the Conservation Area decide to issue a new permit, the administrative resolution shall state that the interested party must submit a new technical study, which must comply with articles 131, 132 and 133 of these Regulations.

Article 135.- Requirements to obtain authorization to exploit wild flora for non-commercial purposes or for subsistence. SINAC shall authorize the exploitation or collection of wild plants for non-commercial purposes or for subsistence when they are to be used to meet the food, medicinal or other similar needs of poor people. The following requirements must be met in order to obtain authorization to exploit wild flora for non-commercial purposes or for subsistence:

- a. Submit to the corresponding Conservation Area those requirements set forth in article 14 of these Regulations, as appropriate.
- b. A written request briefly justifying the need for the non-commercial or subsistence exploitation or collection of wild plants. It must be duly signed by the applicant and must specify the address for service as well as approximate quantity to be used.
- c. In national wildlife refuges – government managed and under combined management – refuge administrators shall be able to certify the socioeconomic level of its occupants.
- d. In those cases where subsistence exploitation/collection is to take place on property belonging to a third party, written permission must be obtained from the registered owner.

The permit shall be valid for one year.

Article 136.- Resolution authorizing exploitation of wild flora for non-commercial purposes or for subsistence and issuance of collection permits. After analyzing the request for authorization to exploit wild flora for non-commercial purposes or for subsistence and issuance of collection permits, the Conservation Area shall issue a resolution approving or rejecting the request.

If approved, the applicant shall have 10 days after notification to present the following documents and obtain a permit:

- a. Fill in form with full name and i.d. card number of the persons for whom a permit shall be issued.
- b. Submit a definite timetable with the date or dates for the authorized activity in order to follow up on actions implemented to control or manage the species of wild flora.
- c. Two passport size photos of each person authorized.

Once the interested party has submitted the above specified documents, the Conservation Area shall issue the collection permits within 15 days. Permits shall specify the full name and i.d. card number of those conducting exploitation activities as well as place, period and authorized species, authorization resolution number and permit validity.

Exploitation in protected wilderness areas shall not be permitted, with the exception of National Wildlife Refuges with management plans authorizing exploitation.

Article 137.- Exploitation of wild flora in forest management plans. The corresponding Conservation Area shall be able to authorize the exploitation of wild flora, its products or byproducts in areas with forest exploitation permits. Use of live plants shall only be authorized for parent stock or reproduction in duly registered wild flora management sites. The commercialization of these specimens shall not be authorized.

Applicants must submit the requirements set forth in article 14 of these Regulations to the corresponding Conservation Area, as appropriate.

The Conservation Area shall have 15 days to issue an administrative resolution approving or rejecting the request. The Conservation Area must include a copy of the forest exploitation permit in the file to support the request.

CHAPTER VIII

EX SITU WILD FLORA

SECTION I

WILD FLORA MARKING

Article 138.- Marking of wild flora in ex situ conditions. Where materially and technically possible, all specimens of wild flora kept in management sites must have some type of marking. Labels and tags are among the authorized marking methods. Numbering and other technical details are set forth in the Protocol for Wildlife Marking.

The permit holder shall cover the cost of marking.

Article 139.- Control devices for the exploitation of flora. SINAC shall determine – via administrative resolution – the type of packaging and control devices that are to be applied to the commercialization of exploited wild flora in each period.

SECTION II

TRANSPORTATION OF WILD FLORA

Article 140.- Transportation of wild flora between management sites. When transporting wild flora, its products and byproducts from one management site to another, the site's operating permit shall expressly specify whether authorized to transport specimens and therefore, the official transport bill of lading shall not be required. The permit holder must carry the operating permit at all times during transportation.

If the resolution does not specify authorization for transportation of wild flora, the management site's wildlife manager or *regente* must obtain the transport bill of lading from the corresponding Conservation Area. The transport bill of lading shall contain:

- a. Approval of the *regentes* of both sites.
- b. Approval of the corresponding Conservation Area.
- c. Sufficient detail/information to adequately describe scope of permit authorization.

In those cases where wild plant specimens are being transported without an official transport bill of lading or the corresponding permit, these specimens shall be seized in accordance with the provisions set forth in the LCVS and these Regulations. The corresponding report shall be filed, where applicable. SINAC shall be in charge of the correct disposal of plant specimens seized.

Article 141.- Other issues regarding wild flora transportation. The transportation of wild flora declared to be endangered and included in national lists and international agreements, its products and byproducts requires SINAC's authorization. SINAC shall issue official transport bills of lading to be used at national level.

The interested party must go to the corresponding Conservation Area to fill in the official transport bill of lading and obtain the necessary SINAC signatures and seals. This should take no more than one business day. This transport bill of lading shall indicate species, number of specimens and final destination as well as sufficient detail/information to adequately describe scope of permit authorization.

When a SINAC official is transporting endangered wild plants from one Conservation Area to another, he/she must immediately notify the destination Conservation Area and submit a copy of the corresponding document.

When transporting endangered wild plants, their products or byproducts as part of a research project, the resolution shall expressly authorize specimen transportation and therefore, the official transport bill of lading shall not be necessary. The permit holder must carry the research permit at all times during transportation.

In those cases where wild plant specimens are being transported without an official transport bill of lading or the corresponding permit, these specimens shall be seized in accordance with the provisions set forth in the LCVS and these Regulations and the corresponding report shall be filed. SINAC shall be in charge of the correct disposal of plant specimens seized.

Article 142.- Transportation of legally purchased wild flora. When purchasing wild plant species at an authorized establishment, the buyer must carry the sales invoice at all times during transportation. The invoice must include species, number of specimens per species and number of resolution authorizing sale of these plants.

SECTION III

WILD FLORA EXHIBITIONS

Article 143.- Permanent wild flora exhibitions. Wild flora management sites with permanent exhibitions must comply with articles 20 and 21 of the LCVS and the provisions set forth in these Regulations relating to flora management sites.

Article 144.- Temporary wild flora exhibitions. The Conservation Area shall be able to authorize the temporary exhibition of endangered wild flora from authorized management sites, in which case the interested party must fulfill the requirements set forth in article 14 of these Regulations (subparagraphs a), b), g), i)) and submit these to the Conservation Area in addition to the following:

1. Address and description of the exhibition venue
2. Species and quantities to be exhibited (lists must be submitted to the Conservation Area where the exhibition is located on the Thursday before the exhibit start date)
3. Duration of the exhibition
4. Name and operating permit number of the management sites from where specimens that are to be exhibited come
5. Comply with municipal, Ministry of Health and SFE regulations
6. Original receipt for payment of the corresponding fees deposited into the Wildlife Fund

The Conservation Area where the exhibition venue is situated shall ensure the interested party has the necessary official transport bills of lading or resolution authorizing specimen transportation.

Plants authorized for exhibition and sale must be duly marked, identified and planted in containers or fixed to trunks.

The administrative resolution authorizing the temporary exhibition shall establish specific conditions with which the exhibition must comply.

SECTION IV

COMMERCIALIZATION OF SPECIMENS OF WILD FLORA REPRODUCED IN AUTHORIZED MANAGEMENT SITES

Article 145.- On the sale of specimens of wild flora reproduced in authorized nurseries. Authorization for the sale of wild flora specimens reproduced in authorized commercial nurseries shall be specified in the site's operating permit.

A tax invoice shall be issued to all buyers indicating specimen or specimens purchased. This invoice shall serve as proof of legal ownership and transportation of the plant. It shall include species, number of specimens per species and the number of the resolution authorizing sale of these plants by the management site.

SECTION V

POSSESSION OF ENDANGERED WILD FLORA

Article 146.- Domestic and decorative gardens with species of wild flora classified as endangered. The corresponding Conservation Areas shall be able to authorize the possession by private individuals of endangered wild plant specimens for their personal enjoyment. Specimens shall be authorized and registered as a collection.

The permit holder shall take care of the plants and provide them with optimum conditions for their survival. Plants shall not be offered for sale nor publicly exhibited. Plants must be legally acquired.

Article 147.- Requirements to register possession of a collection of endangered wild plant specimens. As set forth in the article above, collections of wild plant specimens must be registered with the corresponding Conservation Area. To this end, the interested party shall process the corresponding application in accordance with article 14 of these Regulations and comply with the following:

- a. Provide proof that the wild plants were obtained in compliance with applicable legislation and submit tax invoice issued by the site where these were purchased specifying the number of the resolution authorizing sale, where applicable.
- b. Submit a taxonomic inventory signed by a competent professional specifying plant species and quantities.

Collection registration is valid for five years, which may be renewed in accordance with the following article.

Article 148.- Renewal of permit to possess a collection of endangered wild plant specimens. In order to renew a permit to possess a collection of endangered wild plant specimens, the permit holder must apply for renewal 30 days before expiration of the current permit and submit the renewal application to the Conservation Area in accordance with article 14 of these Regulations. A taxonomic inventory signed by a competent professional specifying plant species and quantities must also be presented. The

interested party must also submit documentation specifying the origin of any plants acquired after collection registration or after the last renewal.

The renewal has a maximum validity of five years.

SECTION VI

WILD FLORA MANAGEMENT SITES

Article 149.- Flora management sites. SINAC shall be able to authorize the following flora management site categories:

- a. Commercial and non-commercial botanical garden
- b. Commercial and non-commercial nursery
- c. Commercial artisanal nursery

All management sites shall provide optimum conditions for plant survival.

Article 150.- Botanical gardens. Botanical gardens shall open to the public for recreational, cultural, educational and research purposes. They shall not be authorized to sell wild flora.

Article 151.- Maintenance of wild flora in commercial nurseries. Plants that are in commercial nurseries and are to be sold locally must be duly marked, identified and planted in containers, fixed to trunks or other.

A tax invoice shall be issued to all buyers indicating specimen or specimens purchased. This invoice shall serve as proof of legal ownership and transportation of the plant. It shall include species, number of specimens per species and number of resolution authorizing their sale.

In order to export wild flora, the interested party must comply with the provisions set forth in these Regulations and by the SFE. When species are included in the CITES Appendices, interested parties shall also be required to comply with the Convention and these Regulations.

Article 152.- Non-commercial nursery. Non-commercial nurseries shall not be authorized to commercialize plants. They can apply for authorization to exhibit plants at fairs, expositions or other duly authorized events.

Article 153.- Commercial artisanal nursery. Commercial artisanal nurseries shall keep no more than 500 wild plants. Plants that are reproduced in these sites may be locally commercialized. Plants must be duly marked, identified and planted in containers, fixed to a trunk or other.

A tax invoice shall be issued to all buyers indicating specimen or specimens purchased. This invoice shall serve as proof of legal ownership and transportation of the plant.

Article 154.- Environmental impact evaluation. For the purpose of article 26 of the LCVS, the management plan shall be construed as being the evaluation required by said article. Additionally, the interested party must comply with SETENA regulations pertaining to environmental impact evaluation, where appropriate, as well as municipal, Ministry of Health and SFE permits.

Article 155.- Requirements to obtain an operating permit for botanical gardens and commercial nurseries. Those applying for registration and an operating permit for botanical gardens and commercial nurseries must submit the requirements set forth in article 14 of these Regulations to the corresponding Conservation Area.

They shall also be required to submit:

- a. Printout and digital version of the management plan prepared by the wildlife manager or *regente* according to the format set forth in these Regulations.
- b. Specify wildlife manager's full name, i.d. card and profession.
- c. Use of soil certificate issued by the corresponding Municipality

When the site intends to export plant species included in the CITES Appendices, it shall also comply with the requirements established in said Convention and these Regulations.

Once the management plan has been presented, SINAC shall have 20 calendar days to ensure the application is complete and meets all the requirements set forth in the LCVS and these Regulations. If incomplete, SINAC shall notify the interested party indicating any missing items or the need to submit additional information. Should the applicant fail to comply, the application shall be deemed abandoned. The interested party must submit the required information within a maximum of 10 business days.

SINAC shall have 45 days to approve or reject the application. During this time, an official from the corresponding Conservation Area shall visit the place where the management site is to be established and prepare a written report, which shall be included in the corresponding administrative file. If management plan analysis and site inspection reveal the need for technical adjustments, the aforementioned report shall include measures to be implemented and a timeline for implementation. The applicant shall be informed of the report in order to be able to implement these measures. The Conservation Area shall conduct a new inspection to determine compliance. Management plan approval shall depend on full compliance with these measures. In the event of non-compliance within the allotted time, the application shall be rejected.

Article 156.- Management plan. All wild flora management sites must have a management plan prepared by a duly registered wildlife management professional. If necessary, the Conservation Area shall ask for clarification, modifications or additional information.

Article 157.- Management plan format for botanical gardens and commercial nurseries. The management plan for botanical gardens and commercial nurseries shall comply with the following format:

- a. **Cover sheet:**
 1. Project name, name of the owner(s), address and other background information, P.O. box, telephone number, fax number, email
 2. Name of the wildlife manager or *regente* registered with SINAC, profession, license number, telephone number, fax number, email
 3. Type of management site
- b. **Introduction:** Background, general and specific objectives
- c. **Technical justification for the activity:** The proposed management plan must be supported by at least 20 techno-scientific bibliographical references. For botanical

gardens, the justification shall be drafted in accordance with the IUCN Species Survival Commission Guidelines on the Use of *Ex Situ* Management for Species Conservation, its revisions and adaptations for the species of interest.

d. Area location:

1. Political and administrative location
2. Geographic location including map sheet or image with geo-coordinates

e. Description of project area: Project site, neighboring communities, biological environment, climate, land use, soil classification and life zone.

f. Biological and ecological description of the wild species to be managed.

g. Site management:

1. Management of wild flora at the management site (detailed description of programs and processes implemented at the site)

- i. Care according to species or taxonomic group (abiotic requirements)
- ii. Marking methods by group and numbering to be used. A logbook must be kept specifying the marking system used for each of the different taxa.
- iii. Description of parent stock origin (copy of purchase permits or document certifying handover or seizure, as appropriate).
- iv. Plan for collection from native habitat (if collection is required), timetable, collection permit number (if the interested party has one), number of individuals and place, in accordance with the provisions pertaining to collection set forth herein.
- v. Collection plan: List of specimens and species, their age, acquisition needs. It shall be updated in November each year and a copy shall be submitted to the National Wildlife Information System.
- vi. Reproduction plan: Species, objectives, proposed use of specimens.
- vii. Environmental education program: Objectives, goals and methodology. Staff and volunteer training, if applicable.
- viii. Tours: In management sites with wild plant exhibitions, access/evacuation routes and trails must be created so visitors are able to tour the premises in an orderly and logical manner in accordance with management site objectives.

2. Infrastructure development and maintenance program. This program shall include all construction processes for new enclosures, maintenance of these, trails and other site infrastructure.

3. Research programs: In the event the management site intends to conduct research, it shall be required to provide a general description of research topics, objectives and persons responsible. Where appropriate, the corresponding permits shall be obtained from SINAC.

4. Commercialization program (for commercial nurseries): potential client profile, sales schedule, approximate number of individuals to be sold, market segment, commercialization channels and countries of destination.

5. Contingency plan: in case of emergencies, natural disasters.

h. Facilities:

1. Designs of gardens, nurseries.

2. Quarantine area: Description of the facilities. It must be completely separated from the rest of the facilities in order to prevent transmission of diseases.

3. Nursery area: Description of commercial nursery facilities.

4. Administrative area: Description of the premises.

- i. **Sewage treatment plan and waste management plan**: Approved by the Ministry of Health.
- j. **Personnel**: List of project personnel, academic training, i.d. card number, function, work schedules, organization chart and other information of interest.
- k. **Wildlife manager or regente**: Wildlife manager's profession and number of hours he/she is to work at site.
- l. **Regulations**: For internal and public use.
- m. **Annual operations plan**: Management plan shall include the operations plan for the first year of operations. An operations plan must then be submitted each year.
- n. **Shutdown plan**: Plan to relocate specimens in the event of shutdown. A section on costs incurred as a result of shutdown must also be included.
- o. **Parental stock**: When a commercial nursery or botanical garden needs to establish parental stock of wild origin, it must include a population study of the species of interest demonstrating that extraction shall not have a detrimental effect on the species or ecosystem.

Article 158.- Resolution approving or rejecting botanical garden or commercial nursery operating permit. After reviewing the application, SINAC shall issue a resolution approving or rejecting the botanical garden or commercial nursery operating permit application.

If the application is approved, the interested party shall have 15 days to submit the following documents to the Conservation Area:

- a. Copy of the wildlife manager or *regente's* contract specifying terms and conditions of employment. Contract must take into consideration the duties and obligations of the *regente* as set forth in these Regulations and approved management plan.
- b. Original and a copy of receipt for payment of the *regente's* professional liability insurance policy in accordance with article 21 of the LCVS to cover loss due to inappropriate management.
- c. Logbook with numbered pages approved by the corresponding Conservation Area.
- d. Annual operations plan: Operations plan for the first year of operations and every year after that.
- e. Original receipt for payment of the flora management site registration fees deposited into the Wildlife Fund.

Article 159.- Requirements to obtain an operating permit for non-commercial nurseries and commercial artisanal nurseries. Those applying for registration and an operating permit for non-commercial nurseries and commercial artisanal nurseries must submit the requirements set forth in article 14 of these Regulations to the corresponding Conservation Area.

They shall also be required to submit:

- a. Printout and digital version of the management plan prepared by the wildlife manager or *regente* according to the format set forth in this article.
- b. Specify wildlife manager's full name, i.d. card and profession.
- c. Use of soil certificate issued by the corresponding Municipality

The management plan for non-commercial nurseries and commercial artisanal nurseries shall comply with the following format:

1. Project name, name of the owner(s), address and other background information, P.O. box, telephone number, fax number, email
2. Name of the wildlife manager or *regente* registered with SINAC, profession, license number, telephone number, fax number, email
3. Management site objectives
4. Design or sketch of the facilities
5. Methodology: reproduction and management of stock plants, parent stock extraction, phytosanitary programs, fertilization, water supply, nursery design, personnel, sewage and solid waste management in accordance with applicable legislation and recommendations by competent authorities.
6. Inventory of plants at the beginning of the activity.

Article 160.- Resolution approving or rejecting operating permit for non-commercial nurseries and commercial artisanal nurseries. After reviewing the application, SINAC shall issue a resolution approving or rejecting the application for a non-commercial nursery or commercial artisanal nursery operating permit.

If the application is approved, the interested party shall have 15 days to submit the following documents to the Conservation Area:

- a. Copy of the wildlife manager or *regente*'s contract specifying terms and conditions of employment. Contract must take into consideration the duties and obligations of the *regente* as set forth in these Regulations and approved management plan.
- b. Logbook with numbered pages approved by the corresponding Conservation Area.
- c. Original receipt for payment of the management site registration fees deposited into the Wildlife Fund.

Article 161.- Commercialization quotas. Maximum commercialization quotas for commercial and artisanal nurseries shall be jointly established by the management site administration and SINAC. This shall be done taking into consideration the wildlife manager's technical criterion, inventories and inspection reports and SINAC shall issue an administrative resolution specifying the authorized commercialization quota.

Article 162.- Validity of flora management site operating permits. Operating permits for wild flora management sites shall be issued for a maximum of five years. Permit renewal shall be for a five-year maximum term.

Article 163.- Use of logbook. All management sites shall have a SINAC-approved logbook. This logbook shall be used to record all wild flora management related activities carried out by the site administrator and *regente* as well as the occurrence of any extraordinary events. Inspections performed by SINAC personnel together with their technical recommendations and how to implement these shall also be recorded in the logbook.

Article 164.- Renewal of flora management site operating permit. In order to renew the management site operating permit, the interested party shall submit to SINAC a written application and a report prepared by the *regente* on the fulfillment of management plan

objectives, including principal achievements and evaluation of process implementation. This shall be done one month before the permit is due to expire.

The Conservation Area shall conduct an integral analysis of site functioning, including the report submitted and processes implemented, compliance with recommendations, instructions and applicable regulations, among others. The results of the analysis shall allow SINAC to determine whether a management plan update is necessary due to significant variations in site objectives (e.g. changes in management of flora, administrative changes, among others).

SINAC shall have 30 days to prepare the integral analysis report and issue a resolution approving or rejecting the application for renewal of the site's operating permit.

CHAPTER IX

EXOTIC ORNAMENTAL SPECIES AND EXOTIC SPECIES DECLARED AS WILDLIFE BY THEIR COUNTRY OF ORIGIN

Article 165.- **Reproduction and exhibition of exotic ornamental species.** The reproduction and exhibition of individuals of exotic ornamental species shall not require registration with SINAC.

Article 166.- **Exotic species declared as wildlife by their country of origin.** Exotic species declared as wildlife by their country of origin include the following categories:

- a. Species included in the CITES Appendices and protected by international treaties and agreements
- b. Exotic individuals with native populations
- c. Exotic invasive species
- d. Non-invasive exotic species: exotic non-ornamental species not included in the previous categories

Article 167.- **Release of exotic species.** The release of individuals of exotic species into the wild shall not be allowed. This prohibition includes the release of wild species hybrids.

In accordance with the LCVS, the release of exotic species shall result in sanctions, including assessment of the environmental damage caused by the release and cost of solving this problem.

Article 168.- **Lists of invasive exotic species.** Together with CONAVIS and the CBD Invasive Species Specialist Group, SINAC shall prepare official lists of invasive exotic species. Import into the country and reproduction of these species shall not be allowed.

These lists shall be revised and updated every three years and their official version shall be publicly available on the MINAE-SINAC official website.

CHAPTER X

SECTION I

ON THE IMPORT, EXPORT, RE-EXPORT AND TRANSIT OF WILDLIFE SPECIES

Article 169.- Application for permit to import, export and re-export specimens of wildlife species. To apply for a permit to import, export and re-export wildlife specimens, the interested party must comply with article 14 and this Chapter and must in all cases deposit the corresponding fee into the Wildlife Fund. This application must be submitted to the SINAC Executive Secretariat, unless otherwise specified in this chapter.

SINAC shall have one month to approve or reject the application for permit to export, import and re-export wildlife species.

Article 170.- Authorized points of wildlife entry and exit. Wildlife specimens shall only be permitted to enter or leave the country from Juan Santa María and Daniel Oduber International Airports, the Ports of Limon and Caldera and the Paso Canoas and Peñas Blancas border crossing points.

Article 171.- IATA regulations. All imports and exports of live animals by air, land or sea must comply with applicable IATA regulations.

Article 172.- Ban on the import of certain wildlife species. The import of specimens of species identified as invasive, pests or posing some sort of threat to native species, native ecosystems or human/animal health shall not be permitted. Specimens included in lists of invasive exotic species shall not be allowed to enter either.

Article 173.- Import of specimens to keep as pets. The import of wildlife fauna and exotic species declared as wildlife by their country of origin to be kept or sold as pets shall not be permitted.

Article 174.- Import of venomous species. The import of venomous species shall only be permitted for scientific research projects of higher education institutions. The authorized institution must simultaneously import the corresponding antidote, which must be readily available if needed. Import shall not be authorized in those cases where no antidote exists, unless the objective of the research is to develop an antidote.

Article 175.- Marking of imported specimens of wild fauna. In accordance with article 123 of these Regulations, once the wild animals have arrived at the management sites, SINAC shall ensure all specimens, products and byproducts that entered the country are correctly marked or identified, if physically possible. The wildlife marking process shall be detailed in the corresponding protocol.

SECTION II

EXOTIC SPECIES DECLARED AS WILDLIFE BY THEIR COUNTRY OF ORIGIN AND NOT INCLUDED IN THE CITES APPENDICES

Article 176.- Import of exotic species declared as wildlife by their country of origin and not included in the CITES Appendices. In accordance with articles 25 and 26 of the LCVS, SINAC shall only authorize the import of specimens of exotic species declared as wildlife by their country of origin when these are:

- a) Specimens bred or propagated in captivity or imported for scientific research purposes provided they pose no risk to the country's natural ecosystems or human population.

- b) Products and byproducts of species reproduced in captivity provided they pose no risk to native wildlife.
- c) Products and byproducts of these species with the corresponding permits from the Ministry of Health, MAG or other relevant institution.

Article 177.- Import of exotic animal species declared as wildlife by their country of origin for management sites and not included in the CITES Appendices. SINAC shall be able to authorize the import of exotic wild animal specimens for zoos and for export by commercial breeding farms. These must have the necessary site operating permit and their approved management plan must include individuals of these species. In no case shall the import of species listed in article 172 be permitted.

The commercialization in the country of these specimens and their descendants shall only be permitted between authorized management sites (for parent stock, exhibition and export). In all cases, written authorization from SINAC shall be required.

Article 178.- Import of exotic plant species declared as wildlife by their country of origin for management sites and not included in the CITES Appendices. SINAC shall be able to authorize the import of exotic wild plant specimens for authorized commercial nurseries for export and to be sold locally provided they have the necessary SFE permits. Nurseries must have the necessary site operating permit and their management plan must include specimens of these species.

In no case shall the import of species listed in article 172 of these Regulation be permitted.

Article 179.- Import of specimens of exotic species declared as wildlife by their country of origin for research and not included in the CITES Appendices. SINAC shall be able to authorize the import of exotic wild specimens for research purposes only when the research permit resolution authorizes this type of species. To apply for an import permit for these species, the interested party must submit the corresponding application to the SINAC Executive Secretariat as well as a management plan including technical details related to specimen management in accordance with these Regulations. SINAC shall issue the corresponding resolution.

In no case shall the import of species listed in article 172 of these Regulation be permitted.

Article 180.- Requirements for authorization to import specimens of exotic species declared as wildlife by their country of origin and not included in the CITES Appendices. In accordance with article 14 of these Regulations, those applying for a permit to import individuals of exotic species declared as wildlife by their country of origin must submit the corresponding application to the SINAC Executive Secretariat and fulfill the following requirements:

- a) Submit the resolution issued by SETENA approving the environmental permit (EIA) in accordance with article 26 of the LCVS.
- b) Certificate issued by the corresponding wildlife authority in the country of origin authorizing the export and indicating specimen origin.
- c) Comply with the requirements set forth by SENASA or SFE.

In the case of the import of specimens of exotic species declared as wildlife by their country of origin for research outside management sites, applicants must submit the requirements set forth in article 179 of these Regulations.

The SINAC Executive Secretariat shall ask the corresponding Conservation Area to certify that the site is duly registered, current and its management plan authorizes management of those individuals that are to be imported. This information shall be included in the process administrative file. The SINAC Executive Secretariat shall also ensure compliance with MAG regulations.

Article 181.- Requirements for authorization to export wild plant specimens declared as wildlife by their country of origin and not included in the CITES Appendices.

Export of wild plant specimens declared as wildlife by their country of origin and not included in the CITES Appendices shall only be authorized when these come from authorized commercial nurseries. In accordance with article 14 of these Regulations, the interested party must submit the application to the corresponding Conservation Area as well as a document prepared by the site's *regente* confirming the captive origin of the specimens that are to be exported.

The SINAC Executive Secretariat shall have 15 days to issue an administrative resolution approving or rejecting the application. If export is authorized, the resolution shall include the transport permit.

Transport and management of flora must be carried out pursuant to MAG guidelines.

Article 182.- Requirements for authorization to export wild animal specimens declared as wildlife by their country of origin and not included in the CITES Appendices.

In accordance with article 14 of these Regulations, those applying for a permit to export wild animal species born in management sites must submit the necessary application to the corresponding Conservation Area. Applicants must also submit a report signed by the wildlife management site's *regente* clearly specifying date of birth, parents, place of birth and other technical criteria to confirm the captive origin of the specimens that are to be exported.

The corresponding Conservation Area shall send the approved application to the SINAC Executive Secretariat for it to issue the specimen export permit and update the National Wildlife Information System. The permit shall have a maximum three-month validity. If export is authorized, the resolution shall include the transport permit.

Transport and management of animals must be carried out pursuant to MAG and IATA guidelines.

Article 183.- Export permit for wildlife specimens declared as wildlife by their country of origin collected for scientific and academic purposes and not included in the CITES Appendices.

In accordance with article 14 of these Regulations, those applying for a permit to export wildlife collected with a collection permit for scientific and academic purposes must submit the application to the SINAC Executive Secretariat. Applicants must also submit a sworn statement declaring that the specimen to be exported shall not be commercialized.

In accordance with article 44 of the LCVS, SINAC shall consult with specialists in the field.

SECTION III

CAPTIVE MAINTENANCE AND SALE OF SPECIMENS OF EXOTIC SPECIES DECLARED AS WILDLIFE BY THEIR COUNTRY OF ORIGIN

Article 184.- Captive maintenance and sale of specimens of exotic species declared as wildlife by their country of origin. SINAC shall only authorize the captive maintenance of exotic animal species declared as wildlife by their country of origin in management sites authorized for this purpose.

Article 185.- Businesses that sell or commercialize exotic animal species declared as wildlife by their country of origin. Commercial breeding farms that breed exotic organisms declared as wildlife by their country of origin shall be the management sites authorized to sell or commercialize this type of organisms. These businesses must comply with the necessary SINAC permits and requirements and must be registered with the National Wildlife Information System.

The commercialization of specimens of exotic species declared as wildlife by their country of origin to be kept as pets shall not be permitted in the country. The commercialization by authorized breeding farms of exotic animals declared as wildlife by their country of origin shall be authorized between management sites or for export.

Section IV

ON THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)

Article 186.- Regulation of the CITES Scientific and Administrative Authorities. Articles 71, 72, 73, 74 and 75 of the LCVS shall be governed by Executive Order N° 39489-MINAE.

Article 187.- Compliance with the Resolutions of the Conference of the Parties to CITES. Applicable Resolutions of the Conference of the Parties to CITES shall be binding on the country in order to comply with commitments undertaken by the country in the framework of the Convention.

Article 188.- Appointment of CITES wildlife inspectors. In order to comply with the provisions set forth in Resolution Conf. 12.3 (Rev. CoP15), authorized customs officials from the Ministry of Finance, SENASA and the SFE on duty at the country's points of entry and exit shall be appointed CITES wildlife inspectors as part of their tasks, functions and responsibilities.

Article 189.- Import of animal species listed in CITES Appendices for management sites. SINAC shall be able to authorize the import of animal species listed in the CITES Appendices for zoos and breeding farms whose operating permit allows them to receive and keep individuals of these species. The site's management plan must include the necessary technical details for their care and management.

Breeding farms shall only be able to commercialize captive-born individuals of those species as follows:

- a. In the country: between management sites, either as parent stock or for exhibition in a management site that has been authorized for this purpose. SINAC's written authorization shall be required.
- b. For export: the breeding farm must be registered as a commercial breeder and comply with all requirements set forth in CITES, the LCVS and these Regulations. Also, the breeder must have the corresponding export permit.

Article 190.- Import of plant species listed in the CITES Appendices for management sites. SINAC shall be able to authorize the import of plant species listed in the CITES Appendices for nurseries whose operating permit allows them to receive and keep individuals of these species. The site's management plan must include the necessary technical details for their care and management.

The local commercialization and export of these specimens shall be permitted provided compliance with all requirements set forth in CITES, the LCVS and these Regulations.

Article 191.- Import of species listed in the CITES Appendices. For the purposes of articles 25 and 26 of the LCVS, SINAC shall be able to authorize the import of exotic wildlife specimens when these are:

- a) Species listed in the CITES Appendices born in captivity in a wildlife management site, or those specimens destined for scientific research provided this does not pose a risk to the country's natural ecosystems or human population.
- b) Products, subproducts and by-products from species listed in the CITES Appendices that are reproduced in captivity provided these do not pose a risk to wildlife.
- c) Products, subproducts and by-products from species listed in the CITES Appendices that are not included in the previous categories.

Article 192.- Requirements to import species listed in the CITES Appendices. SINAC shall be able to authorize the import of wildlife species listed in the CITES Appendices only when they do not pose a risk to the country's natural ecosystems or human population. In accordance with article 14 of these Regulations, the interested party must submit an application to the SINAC Executive Secretariat. Additionally, applicants must comply with the following requirements:

- a) In compliance with article 26 of the LCVS, provide the EIA approved by SETENA.
- b) Once compliance with article 26 of the LCVS has been verified, applicants must provide the export permits of the country of origin.
- c) Comply with the CITES.
- d) Certificate or permit issued by the corresponding authority of the country of origin authorizing export.

Once these requirements have been met, the Administrative Authority shall obtain the opinion of the corresponding CITES Scientific Authority.

Article 193.- Transit permits for wildlife specimens of species listed in the CITES Appendices. All wildlife specimens of species listed in the CITES Appendices in transit through the country must have the corresponding permit issued by the Administrative Authority. In accordance with article 14 of these Regulations, the interested party must submit an application to the SINAC Executive Secretariat and comply with the provisions

set forth in the LCVS and these Regulations in terms of wildlife import. Applicants shall be exempted from the requirement to submit the EIA set forth in article 26 of the LCVS. Additionally, applicants must have the necessary health certificates issued by MAG, the permits issued by the Customs Office and those issued by the CITES Administrative Authority in the country of origin.

The Administrative Authority shall have 15 days to issue the corresponding permit, which shall have a one-month maximum validity.

Article 194.- Requirements to obtain the export permit for wildlife specimens listed in the CITES Appendices. In order to obtain the export permit for wildlife species listed in the CITES Appendices, applicants must comply with the following requirements:

- a) In compliance with article 26 of the LCVS, provide the EIA approved by SETENA.
- b) When requesting an export permit for species included in CITES Appendix I, a copy of the CITES permit granted by the country of destination or notice from the Administrative Authority of the country of destination expressing approval. In those cases where specimens come from a breeding farm, the site must be registered with the CITES Secretariat in accordance with the Convention.
- c) A report signed by the wildlife management site's *regente* specifying date of birth, parents, other technical criteria to confirm the captive origin of the individuals to be exported and generation.
- d) A certificate indicating specimen origin when specimens have been purchased in accordance with these Regulations.
- e) Adhere to CITES regulations for the export of specimens.

Once these requirements have been met, the Administrative Authority shall obtain the opinion of the corresponding CITES Scientific Authority.

Article 195.- Permits to re-export specimens of wildlife species listed in the CITES Appendices. All imports of wildlife specimens that are to be re-exported in less than one month after entering the country must have the corresponding permit issued by SINAC. Applicants must submit the following to the Administrative Authority:

- a) Fill in the corresponding SINAC application form.
- b) Copy of CITES permits as proof of legal departure of specimens, products or byproducts to country of origin.

In accordance with article 26 of the LCVS, the applicant shall not be required to apply to SETENA for an environmental permit (EIA).

Additionally, applicants must have the necessary health certificates issued by MAG, the permits issued by the Customs Office and those issued by the CITES Administrative Authority in the country of origin, which must be included in the SINAC re-export file.

CHAPTER XI

NATIONAL WILDLIFE INFORMATION SYSTEM

Article 196.- National Wildlife Information System. The National Wildlife Information System, set forth in article 19 of the LCVS as the "National Wildlife Registry", shall be developed as an easily accessible, updated virtual public platform containing all the

necessary information for wildlife registration and control. It shall be administered by SINAC.

This system shall contain the information of the National Wildlife Registry established in article 19 of the LCVS.

Article 197.- Types of wildlife registration. The following types of wildlife registration shall be available:

- a) Wildlife management sites
- b) Registration and control of the private possession of wildlife
- c) Controlled hunters
- d) Fishing and controlled hunting permits
- e) Wildlife extraction and collection
- f) Taxidermists, pelt preparers and other similar procedures with wildlife
- g) Professional wildlife managers or *regentes*
- h) Research permits
- i) Wildlife importers and exporters
- j) Importers and exporters of CITES species
- k) Import, export and re-export of wildlife (including species contained in CITES Appendices)

In all cases, permit or registration status – either active or inactive - shall be recorded. Permit and registration status must remain updated.

Article 198.- Wildlife registration by Conservation Areas. In accordance with the previous article, each Conservation Area and the Executive Secretariat must enter registrations into the National Wildlife Information System.

Article 199.- Registration for taxidermy and wildlife processing. Natural and legal persons, either public or private, dedicated to taxidermy and processing of wildlife remains, its products and by-products must register with the SINAC Executive Secretariat and must submit the following:

- a) Corresponding registration form
- b) Logbook with numbered pages to be approved by SINAC
- c) Original registration payment receipt. Public universities and national museums shall be exempted from payment.

The SINAC Executive Secretariat shall have 15 days to accept or reject registration.

A biannual report of all specimens processed shall be submitted to the Executive Secretariat by all those registered and shall contain information on specimen origin, a description of the specimen, permit/license data certifying specimen origin and process used.

CHAPTER XII

ON THE WILDLIFE MANAGER OR *REGENTE*

Article 200.- The wildlife manager or *regente*. In accordance with article 21 of the LCVS, all wildlife management sites must hire the services of a wildlife manager or

regente to prepare and execute the corresponding management plan, which shall adhere to the provisions set forth in the LCVS and these Regulations.

All management sites must immediately report newly-hired wildlife managers or changes.

Article 201.- Professional training of the wildlife manager or *regente*. Wildlife managers must have proven professional training, experience and suitability in wildlife management in order to occupy this position. Proof of professional status shall be provided by the corresponding professional association.

Professionals in biology, wildlife management, natural resource management, forestry and agronomy shall be able to occupy the position of wildlife manager or *regente*.

Article 202.- Functions. The wildlife manager or *regente* shall have the following functions and responsibilities:

- a. Prepare and execute the authorized site management plan ensuring full compliance with its objectives.
- b. Be responsible for the management site's strict compliance with the LCVS, these Regulations, related legislation and any other regulation on wildlife conservation and sustainable use.
- c. Ensure strict compliance with ethical and technical regulations throughout the implementation of SINAC-approved management plans.
- d. Ensure site operations comply with SINAC protocols on wildlife as well as those protocols set forth in the approved management plan.
- e. In wild fauna management sites, the *regente* shall work together with the veterinarian to ensure compliance with the site's animal health plan and quarantine programs, as appropriate.
- f. In wild flora management sites, the *regente* shall follow phytosanitary recommendations issued by the competent professional.
- g. Depending on management site category, recommend clearly justified modifications to the approved management plan in order to adapt it to new reproduction, propagation (in flora) or management techniques, as well as make any necessary adjustments or additions.
- h. Submit the corresponding quarterly technical reports/certificates or criteria regarding management site functioning as well as any additional reports requested by SINAC. The format specified in article 206 of these Regulations must be followed.
- i. Submit an annual report on management plan compliance, which shall be presented to the corresponding Conservation Area in January each year. The report must indicate which objectives have been fulfilled and which ones have not and specify the reasons for non-fulfillment. It must also be consistent with the wildlife manager's quarterly reports to SINAC.
- j. Ensure employees working in wildlife management are adequately trained, equipped and vaccinated to prevent zoonotic diseases and accidents involving wildlife, where applicable.
- k. Issue certificates of origin for specimens born in captivity at the site for trade between management sites or abroad.

- l. Immediately report any irregularities occurring at the wildlife management site to the competent legal or administrative authorities. In the event the report is filed through an institution other than SINAC, the Conservation Area must be informed of the situation. All situations reported must be included in the wildlife manager's report and site logbook.
- m. Use the site logbook to record any extraordinary events as well as wildlife management recommendations.
- n. Immediately notify the corresponding Conservation Area in writing if no longer working at a management site.

Article 203. Registration in the registry of wildlife managers or *regentes*. In accordance with article 14 of these Regulations, those interested in registering as a wildlife manager must submit the following to the SINAC Executive Secretariat:

- a. Certificate of completion for the wildlife management site course for wildlife managers according to site classification issued by the corresponding professional association.
- b. Professional association membership certificate not more than three months old indicating that the professional is registered and has no professional limitations on practice.
- c. Certificate issued by the professional association and no more than three months old stating that the interested party has the professional training, experience and suitability to occupy the position of wildlife manager or *regente*.
- d. Copy of the *regente's* professional liability insurance policy in accordance with article 21 of the LCVS.
- e. Original receipt for payment of registration fees deposited into the Wildlife Fund.

Article 204.- Registration renewal. Wildlife managers must renew registration in the registry of wildlife managers or *regentes* annually and must submit:

- a. The corresponding application form
- b. Professional association membership certificate not more than three months old indicating that the professional is registered and has no professional limitations on practice.
- c. Copy of the *regente's* professional liability insurance policy in accordance with article 21 of the LCVS.
- d. Original receipt for payment of registration renewal fees deposited into the Wildlife Fund.

Once registration has expired, SINAC shall remove the wildlife manager or *regente* from the registry. The interested party shall be required to resubmit the above specified requirements for re-registration.

Article 205.- Wildlife manager or *regente's* fees. Fees shall be freely negotiated between the parties. The corresponding professional association shall establish a recommended minimum fee scale for its members.

Article 206.- Wildlife manager or *regente's* report. The wildlife manager or *regente's* report shall be submitted to the corresponding Conservation Area every three months and must include:

- a. General information: type of establishment, number of the resolution granting the operating permit, name of owner or legal representative, i.d. card number or corporate i.d. card number, as appropriate; telephone number, fax number, email, exact address of the site, wildlife manager's name, profession, professional license number, wildlife manager's registration number, email, telephone number, quarterly period, visit dates.
- b. The information must be presented as recorded in the logbook.
- c. Facilities and environmental conditions: include current condition, improvements made, cleanliness, disinfection and maintenance, irregularities that might have affected the correct functioning of the establishment and its activities.
- d. Management: number of specimens per species, new individuals as a result of seizures, rescues or handovers, individuals released, number of new individuals as a result of on-site births, survivals, deaths and commercialization, changes in diet, predator management, number of collections made and number of specimens collected. The foregoing shall depend on management site classification.
- e. A chapter on overall health status and wellbeing of the specimens, plague control, diseases, sanitation, fighting diseases. This must be prepared and signed by the wildlife management site veterinarian or by the corresponding professional in wild flora management sites.
- f. Recommendations: these include management activities that must be carried out to improve specimen conditions, disease or plague control treatments, improvements made to infrastructure, changes in diet, fertilizers and others depending on management site classification.
- g. If management site obtained a parent stock collection permit during this period, the number of collections made must be specified as well as number of specimens and species collected.

The report must be signed by the wildlife manager and site owner.

Article 207.- Request for clarification of the wildlife manager's report. SINAC shall be able to request written clarification of the wildlife manager's report. The wildlife manager or *regente* shall have 10 business days to submit the information requested in writing to the corresponding office.

Article 208. Wildlife manager or *regente's* responsibility. Management site compliance with technical recommendations issued by its *regente* shall be mandatory. In the event of non-compliance with these recommendations, the wildlife manager shall immediately inform SINAC of the situation. In compliance with the precautionary and prevention principles, the Conservation Area shall take the necessary actions to avoid any irreparable damage to wildlife.

Article 209.- Wildlife manager or *regente's* power of attestation. The wildlife manager or *regente* shall have power of attestation when preparing the wildlife manager reports, certificates and issuing other criteria regarding the management site supervised.

Given the fact that *regentes* have power of attestation, they shall not be able to supervise their own sites nor become involved in situations posing potential conflicts of interest.

Article 210.- Certificates and official transport bills of lading issued by the wildlife manager or *regente*. When issuing certificates and official transport bills of lading, the site wildlife manager or *regente* must comply with the provisions set forth in the corresponding protocols prepared by SINAC and in these Regulations for the transport of flora and fauna, as appropriate.

Article 211.- Accuracy of documents issued. Documents must be signed and sealed by the wildlife manager or *regente* who issues them and must also specify the wildlife manager's full name, profession and professional license number.

Article 212.- Accompanying wildlife managers or *regentes* on joint inspections. When asked to do so, wildlife managers must accompany SINAC officials on joint inspections of the site under their supervision. A minimum 10-day notification shall be required.

Article 213.- Non-fulfillment of the duties and obligations of the wildlife manager or *regente*. In the event there is proof to establish non-fulfillment of the wildlife manager or *regente*'s duties and obligations, SINAC shall follow due process before imposing the corresponding sanctions in accordance with article 21 of the LCVS.

SINAC shall notify the relevant professional association, file the corresponding administrative and legal claims and send a copy of these to the professional association.

In the event the *regente* is removed from the registry, he/she shall be unable to supervise any management site during the sanction period.

Article 214.- Minor offences committed by the wildlife manager or *regente*. The following shall be deemed to be minor offences:

- a. Failure to fill in the logbook.
- b. Failure to submit reports within the time required.
- c. Failure to submit a management site's end of operations report.
- d. Failure to submit letter to SINAC informing that wildlife manager or *regente* no longer works with the management site.

If established that a minor offence has been committed, the following sanctions shall be imposed:

- i. First time: a written warning
- ii. Second time: one-month suspension from the registry of *regentes*
- iii. Third time: two-month suspension from the registry of *regentes*
- iv. Fourth time: one-year suspension from the registry of *regentes*

In the case of scenarios ii), iii) and iv), SINAC shall notify the supervised sites of the wildlife manager or *regente*'s inability to supervise for the specified amount of time. Also, if after suspension, the *regente* fails to submit the necessary information, an annotation shall be made in his/her file and in the registry of *regentes*.

Article 215.- Serious offences committed by the wildlife manager or *regente*. The following shall be deemed to be serious offences:

- a. Transfer of wildlife from one site to another without the corresponding permits. This shall be sanctioned with a one-year suspension from the registry of *regentes*.
- b. Unauthorized collection of wildlife for a management site. This shall be sanctioned with a two-year suspension from the registry of *regentes*.
- c. Unauthorized reproduction of wildlife at the management site. This shall be sanctioned with a one-year suspension from the registry of *regentes*.
- d. Failure to notify management plan non-compliances at the supervised site. This shall be sanctioned with a two-year suspension from the registry of *regentes*.

Article 216.- Very serious offences. The following shall be deemed to be very serious offences:

- a. Failure to report cases of animal cruelty despite being aware of their occurrence (shall apply in the case of wild fauna management sites). This shall be sanctioned with a three-year suspension from the registry of *regentes*.
- b. Recording false information in reports, documents or logbooks. This shall be sanctioned with a five-year suspension from the registry of *regentes*.
- c. Failure to report irregularities in wildlife management at the supervised site. This shall be sanctioned with a four-year suspension from the registry of *regentes*.
- d. Unauthorized commercialization, lease, bartering, loan or exchange of specimens. This shall be sanctioned with a five-year suspension from the registry of *regentes*.
- e. Carrying out activities prohibited by the LCVS and these Regulations. This shall be sanctioned with a five-year suspension from the registry of *regentes*.

CHAPTER XIII

ON RESEARCH

Article 217.- Scientific research. Scientific research set forth in articles 37 and 41 of the LCVS shall be governed by the SINAC Research Regulations.

Article 218.- Collections in protected wildlife areas and privately-owned areas for research purposes. All scientific and academic collections must have the corresponding collection permit issued by SINAC and these shall be governed by the Research Regulations mentioned in the article above.

The collection of wildlife for scientific and academic purposes shall only be permitted in state-owned protected wildlife areas provided the corresponding permit has been obtained from SINAC or the registered owner of the property. SINAC shall be directly responsible for supervising the collection.

The collection of wildlife for scientific and academic purposes shall be permitted in privately-owned areas provided the corresponding research permit has been obtained from SINAC and the registered owner of the property has authorized entry. A written authorization letter signed by the registered owner and containing general information on the research to be conducted, research and collection permit numbers and the registered owner's express consent must be submitted to the corresponding Conservation Area by the applicant.

CHAPTER XIV

ADMINISTRATIVE ORDERS AND PROCEDURES

Article 219.- Origin of the administrative orders. In the exercise of its supervisory, control and protection mandate, SINAC shall have the legal power - based on the precautionary, prevention and effective administrative tutelage principles – to issue administrative orders with the purpose of carrying out or refraining from any action or behavior that infringes national or international legislation or negatively impacts wildlife. Such an order may entail stopping, preventing, eliminating, omitting, restoring or correcting.

Article 220.- Administrative order requirements. Orders issued by SINAC must comply with the following requirements:

- a) Clear, accurate, concrete, workable, reasonable and appropriate.
- b) State the grounds or reasons for the order imposed (in cases of risk or damage). In the case of special scientific and technology measures, or redress, mitigation or management measures, these must be based on scientific and/or technical criteria.
- c) Addressed to a physical person capable of complying with the order and obligated to do so. If possible, the person's full name, i.d. card, address and telephone numbers must be specified.
- d) Must be personally served.
- e) It must specify whether immediate compliance is required or a period of time has been granted for compliance.
- f) A warning specifying that should the person fail to comply, he/she shall be accused of disobedience in accordance with article 307 of the Penal Code.
- g) The order may be verbal or written. If oral or *in situ*, the official shall draw up a report stating compliance with all the above requirements.
- h) It must specify place, date and time, name and i.d. card number of the official.

Article 221.- Procedure. A copy of the official report shall be handed to the person to whom the administrative order is addressed and the original shall be used to open the corresponding administrative file. Completed status of the service of process must appear on both documents. In the event of refusal of service, the reason must be included in the official report in the presence of two witnesses, of legal age, who shall sign the report together with the official. Whenever possible, the document shall be read to the person being served.

In the event of order non-compliance, the case shall be forwarded to the Office of the Attorney General on charges of disobedience and the order shall be issued once again. Each non-compliance shall result in new disobedience charges.

If wildlife products or by-products are seized during service delivery, a report shall be drawn up and included in the administrative file opened. Additionally, this report shall specify where the items shall be taken and must be signed by the serving official and two witnesses.

In those cases where, in addition to wildlife products or by-products, weapons, equipment or means of transport are also seized, the official shall prepare separate reports and include a copy of these in the administrative file.

In accordance with article 19 of the LCVS, if the offense is typified as a felony by the LCVS, the seized goods shall be put at the disposal of the Office of the Attorney General within eight business days together with the corresponding reports.

If the offense is typified as a misdemeanor, the seized goods shall be put at the disposal of the Misdemeanor Judge within the same time period together with the corresponding reports.

In the case of an administrative offense, the corresponding corrective measures shall be applied and documented in the administrative file. The items (vehicles or equipment) shall be returned provided these are legal, without need to remit to the Office of the Attorney General. Under no circumstances shall seized wildlife be returned to the offender.

With regard to legal weapons seized, the offenders shall have five days to submit the corresponding permits to carry weapons and, if submitted, these shall be returned. If not presented within this time period, a claim shall be sent to the Office of the Attorney General for carrying a legal weapon without a permit. The weapons seized together with the corresponding seizure report shall also be forwarded. In the case of illegal weapons, these shall be sent immediately to the Office of the Attorney General.

Each Conservation Area shall create a database of all administrative files opened, which shall include the full name and i.d. card of the person served as well as the corresponding reports for purposes of follow up and control.

Article 222.- Executability and ordinary remedies. Refusal and revocation shall be the ordinary legal remedies available for these administrative orders and must be lodged within the time periods set forth in article 346 of the General Public Administration Law. Lodgment of ordinary legal remedies shall not suspend execution of the order.

Article 223.- Administrative disposal of seized goods. Once goods have been seized by final judgement of a court, SINAC shall use or destroy the seized goods in accordance with the Law for the Distribution of Seized and Confiscated Goods No. 6106 and the following procedure:

- a) A report shall be prepared specifying final disposal of the seized goods in the presence of two SINAC officials.
- b) In the case of equipment to be used by SINAC, these shall be marked and registered as government property in accordance with the procedures set forth for the release of seized property.
- c) In each specific case, SINAC shall establish the method to be used to destroy the items or equipment seized, where appropriate, and shall immediately send a copy of the corresponding report to the judicial authority that ordered the seizure.
- d) In the case of wild fauna and flora products or by-products, SINAC shall be able to give custody of these to Costa Rica's National Museum, university museums and other government institutions in accordance with the procedures set forth in different international conventions.

Article 224.- Administrative disposal of perishable products. Perishable wild animal and plant products seized or confiscated as a result of illicit activities shall be destroyed and a report of their disposal shall be prepared and signed by the SINAC official and two witnesses.

Article 225.- Administrative disposal of live animals. In accordance with article 24 of the LCVS and these Regulations, live wild animals seized or confiscated as a result of illicit activities shall be released in the same place captured or at a specific site within the stipulated time period. A report of their release shall be prepared and signed by the SINAC official and two witnesses.

Prior evaluation, SINAC shall decide the fate of those animals that due to physical or behavioral reasons cannot be released.

Both the release and maintenance in captivity of the animals must comply with the criteria set forth in this Decree.

Article 226.- Technical authority. In accordance with article 24 of the LCVS, SINAC's technical personnel in the field of biology or wildlife management shall be the competent authority to decide the fate of the wildlife species. A technical report shall be prepared. In the case of wild animals that cannot be immediately released and must undergo rehabilitation, readaptation or other similar processes, SINAC officials shall transfer them to duly authorized rescue centers.

Article 227.- Prevention, control and protection operations. In the event of infringing activities and in accordance with the functions and powers granted in article 16 of the LCVS, SINAC personnel must plan and execute the following wildlife control and protection activities: patrols, highway control posts, different operations, inspections and collection of evidence, preparation of technical reports, detentions, statement of relevant facts; seizures of all hunting, fishing and extraction equipment, as well as wild flora and fauna, their products and by-products; technical disposal of wild plants and animals, and other necessary technical or police proceedings.

Article 228.- Reparation for damage to wetlands. In accordance with article 98 of the LCVS, the following procedure must be followed when implementing technical actions to repair damage caused to wetlands and surrounding ecosystems and bring these back to where they were before the violation or offense was committed:

The offender shall be legally obligated to repair the environmental damage caused. This shall not be limited to the payment of a fine and the offender must restore the damaged ecosystem to its condition prior to damage.

The following shall be necessary in order to restore the wetland ecosystem with the involvement of SINAC:

- a) During the initial inspection, SINAC shall prepare a technical inventory of the damage caused in order to establish the extent of damage to the ecosystem, whether it can be repaired, and urgent measures to prevent increased damage or damage to wild populations, as well as a cost-benefit analysis and approximate timeframe. This evaluation shall be presented to the Office of the Attorney General together with a report of the offense.
- b) In the same statement of relevant facts submitted to the Office of the Attorney General, the Attorney General shall be asked to notify the accused of the corresponding payment to repair damages caused to the wetlands, which shall be deposited in SINAC's name.

- c) Should the Office of the Attorney General ask the judge to impose precautionary measures and order wetland restoration by the offender, SINAC shall ask the Office of the Attorney General to transfer the corresponding amounts in order to proceed.

CHAPTER XV

FINAL PROVISIONS

Article 229.- Reforms. The following reforms shall be made to these provisions of Executive Order N° 32633 of 10 March 2005:

1. Title of the Executive Order, which shall read:

Implementing Regulations to the Wildlife Conservation Law on Fishing and National Wildlife Refuges

2. Article 10 shall read:

“Article 10.- The Ministry for the Environment and Energy, through the National System of Conservation Areas (SINAC), shall be responsible for conducting the activities set forth in these regulations.”

3. The initial paragraph and subparagraphs 3 and 9 of article 16 shall read:

“Article 16.- For the purposes of Law N° 7317, the SINAC Executive Secretariat shall have the following functions in addition to those set forth in the regulations for the implementation of the Wildlife Conservation Law:

3) Introduce annual fishing bans to ensure optimal utilization of wild flora and fauna.

9) Establish fishing control programs and operations.”

4. The initial paragraph and subparagraphs p) and q) of article 17 shall read:

“Article 17.- For the purposes of Law N° 7317 and in accordance with the regulations for the implementation of the Wildlife Conservation Law, the functions of the Conservation Areas are:

p) Ensure compliance with permits, licenses or concessions granted under these Regulations

q) Authorize, issue and sign fishing permits through subregional offices and offices administering state-owned wildlife refuges.”

5. The title of Chapter V shall read:

“On sports fishing and permits”

6. Article 31 shall read:

“Article 31.- Sports or subsistence fishing shall only be permitted in compliance with the corresponding fishing ban decree. Fishing for species not included in these lists shall be prohibited.”

7. Article 32 shall read:

“Article 32.- In accordance with articles 12, 17 and 63 of the LCVS, Conservation Areas, as well as National Wildlife Refuge administration offices, shall be in charge of authorizing, issuing and signing the necessary mainland sports fishing permits to ensure compliance with this Decree.”

8. The initial paragraph of article 33 shall read:

“Article 33.- SINAC shall authorize the following fishing methods:”

9. Article 36 shall read:

“Article 36.- Sports fishing shall only be allowed from 6 a.m. to 6 p.m.”

10. The initial paragraph and subparagraph d) of article 41 shall read:

“Article 41.- The following requirements must be fulfilled in order to obtain a sports fishing permit:

d) If the applicant is a foreigner, copy of the front and back of passport or residence card”

11. The initial paragraph of article 44 shall read:

“Article 44.- The following requirements must be fulfilled in order to obtain a subsistence fishing permit:”

12. The initial paragraph and subparagraph b) of article 51 shall read:

“Article 51.- Through the subregional office of the corresponding Conservation Area, SINAC shall grant authorization to organized groups to carry out sports fishing activities provided they fulfill the following requirements:

b) Participants must have a valid fishing permit.”

13. Article 166 shall read:

“Article 166.- Fees shall be governed by article 123 of the LCVS and must be paid in advance each year. They shall come into effect as of the issuance date of the final resolution approving the Use Permit application and must be deposited into the *Caja Única del Estado*.”

Article 230.- Repeals. Repeal the following Executive Orders: N° 10 of 16 April 1993, Implementing Regulations of the Wildlife Conservation Law published in the official newspaper *La Gaceta* N° 72 of 16 April 1993 and N° 35463-MINAE-MEP of 4 June 2009, Repeal of Executive Order N° 21933-MEP-MIRENEM and Proclamation of National Wildlife Day published in official newspaper *La Gaceta* N° 201 of 16 October 2009.

Repeal the following provisions of Executive Order N° 32633 of 10 March 2005: subparagraphs 1 to 7, 9 and 10 of article 1; subparagraphs 1 to 24, 26 to 28, 31 to 33, 35, 36, 38 to 42, 44 to 46 of article 2; articles 3 to 9, 11 to 15; subparagraphs 1, 2, 4 to 8, 10 of article 16; subparagraphs a) to f), h) to o), r) to y) of article 17; articles 18, 20 to 30; subparagraphs 1, 2, 3b of article 33; articles 34 and 35, 37 to 40, 43, 45 to 50; subparagraph d) and the penultimate paragraph of article 51; 52 to 149 and 167.

Repeal the following provisions of Executive Order N° 36515 of 28 January 2011: articles 2 to 22 and 28 to 33.

Provisional clause I. Permits, licenses and authorizations granted under the LCVS and Executive Order No 32633-MINAE shall remain in force until expiration while gradually adapting to the new regulations. SINAC shall reserve the right to revise and cancel permits, licenses or authorizations when, in adherence to due process, there is evidence of non-compliance with the LCVS, these Regulations or the permit. Cancellation shall entail no government liability. After publication of these Regulations, no new permits shall be issued for possession of wild animals by private individuals outside a management site.

Provisional clause II. In a maximum period of six months after publication of these Regulations, all the country's management sites must submit an action plan to the corresponding Conservation Area detailing changes at organizational, infrastructure and technical management level in order to comply with the LCVS and these Regulations.

Provisional clause III. In a maximum period of six months after publication of these Regulations, the forms mentioned in herein shall be made official and published in an addendum to this Executive Order. Procedures and paperwork presented before publication of these forms must comply with article 14, subparagraph b).

Provisional clause IV. The protocols mentioned in these Regulations shall be made official and published within a maximum time period of six month as of this publication.

Provisional clause V. Fees stipulated herein and to be deposited into the Wildlife Fund shall be published by means of an Executive Order within a maximum time period of six months after publication of these Regulations. These procedures and paperwork shall be free of charge until the publication of said Decree.

Provisional clause VI. In a maximum period of six months after publication of these Regulations, people who keep collections of endangered wild flora that are not registered with SINAC must register these collections with the corresponding Conservation Area, in accordance with article 147 of these Regulations. Applicants who do not have the stipulated invoice shall be allowed this once to submit a sworn statement specifying specimen origin.

Provisional clause VII. Given the national importance of scientific-technological research conducted by the University of Costa Rica's Clodomiro Picado Institute and to ensure

fulfilment of the Institute's objectives, within one year after publication of these Regulations, SINAC shall sign a cooperation agreement with this institution in order to facilitate their work. In conjunction with SINAC, the Institute shall issue the necessary internal regulations to ensure their academic, productive and research processes adhere to applicable legislation.

Article 231.- Validity. This Executive Order shall enter into force as of its publication in the official newspaper *La Gaceta*.

Issued in San Jose, on the twelfth of July twenty-seventeen.

LUIS GUILLERMO SOLIS RIVERA

EDGAR E. GUTIERREZ ESPELETA

MINISTER FOR THE ENVIRONMENT AND ENERGY