



*Costa Rica has a Law of Protection for the Treatment of personal Data effective since September 5th, 2011. The law aims to ensure data protection to any person, regardless of nationality, residence or domicile, as long as the collected data has an effect within the national territory, or if its applicable according Costa Rican legislation in relation to a contract or in the terms of international law. It prohibited to transfer personal information of Costa Ricans or foreigners living in the country, without their consent, to the databases located in third countries. Specific categories of data are protected by the Costa Rican law:*

1. Sensitive data - No person shall be required to provide sensitive data. The personal data that refers to information such as ethnic origin, political or spiritual opinions, those relating to health, life and sexual orientation, among others cannot be part of any data base.
2. Restricted information - This kind of information can only be treated for public matters and with the express consent of the person.
3. Contestable Data - This kind is part of public data bases, with unrestricted access. Not considered in this category: the address of residence, (can only be used in case of a mandate), administrative or judicial notification, a bank or financial operation, photograph, private phone numbers and others of the same nature which treatment may affect the rights and the interests of the holder.
4. Credit information - The data regarding credit behavior is ruled by the Law of National financial system, so that to guarantee a level of acceptable risk by the financial institutions.

According to the law, the personal data can be stored for 10 years maximum, and it does have to be physically deleted. The responsible for the database must delete data no longer relevant or necessary, according to the purpose for which they were received and recorded it. It shall not be preserved any personal data that may affect, the owner, after ten years from the date of its registry, unless special legislation provides otherwise.

When personal data is requested, it will be necessary to report the person who is being inquired or their representatives, explicitly, precisely and unequivocally:

- a) The existence of a database of personal information.
- b) The purpose intended by collecting these data.
- c) Possible recipients of information.
- d) The legal effect of their answers to the questions during data collection.
- e) Treatment to be given to the requested data.
- f) The consequences of refusing to provide data.
- g) The possibility to exercise their rights.
- h) The identity and address of the person responsible of the base data.