



## **This document has been provided by the International Center for Not-for-Profit Law (ICNL).**

ICNL is the leading source for information on the legal environment for civil society and public participation. Since 1992, ICNL has served as a resource to civil society leaders, government officials, and the donor community in over 90 countries.

Visit ICNL's **Online Library** at  
<http://www.icnl.org/knowledge/library/index.php>  
for further resources and research from countries all over the world.

### Disclaimers

**Content.** The information provided herein is for general informational and educational purposes only. It is not intended and should not be construed to constitute legal advice. The information contained herein may not be applicable in all situations and may not, after the date of its presentation, even reflect the most current authority. Nothing contained herein should be relied or acted upon without the benefit of legal advice based upon the particular facts and circumstances presented, and nothing herein should be construed otherwise.

**Translations.** Translations by ICNL of any materials into other languages are intended solely as a convenience. Translation accuracy is not guaranteed nor implied. If any questions arise related to the accuracy of a translation, please refer to the original language official version of the document. Any discrepancies or differences created in the translation are not binding and have no legal effect for compliance or enforcement purposes.

**Warranty and Limitation of Liability.** Although ICNL uses reasonable efforts to include accurate and up-to-date information herein, ICNL makes no warranties or representations of any kind as to its accuracy, currency or completeness. You agree that access to and use of this document and the content thereof is at your own risk. ICNL disclaims all warranties of any kind, express or implied. Neither ICNL nor any party involved in creating, producing or delivering this document shall be liable for any damages whatsoever arising out of access to, use of or inability to use this document, or any errors or omissions in the content thereof.

**Sanction: August 8, 1939**

**In Action: August 8, 1939**

**Affected by:** -- Law No 4583, May 4, 1970  
-- Law No 5116, November 20, 1972  
-- Law No 6020, January 3, 1977  
-- Law No 6739, April 28, 1982  
-- Law No 7935, October 25, 1999  
-- Law No 8007, July 4, 2000

**Last Revision:** July 4, 2000

No 218

**THE CONSTITUTIONAL CONGRESS OF THE REPUBLIC OF COSTA RICA**

DECREES:

**THE LAW OF ASSOCIATIONS**

CHAPTER I

**Fundamental Provisions**

**Article 1.** – The right of association can be exercised freely in accordance with the provisions of this law. Therefore, within this text are subordinated the associations for scientific, artistic, sporting, beneficial, entertainment and all other bidders which do not have as their only and exclusive goal profit or gain. Under this law will also be submitted societies, unions and associations of mutual aid, of securities and patronage.

**Article 2.** – The associations not subject to the previous Article which intend to achieve a solely commercial or a solely civil goal will be governed by commercial or civil laws, according to their intent.

**Article 3.** – Under the authority of this law, no political associations of any kind will be admitted, including those pursuing an end which is physically or legally impossible under the terms listed in Article 631 of the Civil Code.

*(Thus reformed by Law No 4583, Article 1, May 4, 1970)*

**Article 4.** – The administrative control of the associations corresponds to the Executive Power, which is responsible for the authorization for the following: the creation of national associations and the incorporation of foreign ones; supervising or investigating the activities of the fore-mentioned associations and of dissolving those which pursue illicit ends or damage public order and the moral, all in concurrence with the terms set by this law.

**Article 5.** – All associations must be established through a basic ordainment that guides its activities, here forth named “Statutes.”

For an association's activities to be legal, it must be registered in the Registry of Associations, which is managed by the Ministry of the Interior and is part of the National Registry.

The Legal Entity of the association and that of its representatives is acquired through its registration.

The Registration will consist of all the original documents of the Statutes, its reforms and the entities of its directive branches, of each association, as well as the indexes, books and files that may be deemed necessary. These processes may be interchanged with other more efficient systems for improved service and greater security of registration.

A fiscal stamp of the value of 100 colones should be attached to each original document for the registration of an association.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 6.** – This law does not apply to political parties.

*(Thus reformed by Law No 4583, Article 1, May 4, 1970)*

## **CHAPTER II Organization**

**Article 7.** – The Statutes of all associations should include:

- a. – The name of the entity;
- b. – Address;
- c. – Its goals and the means through which it will achieve them;
- d. – Methods of affiliation and disaffiliation of its associates and their rights and duties;
- e. – The association's resources and the branch which establishes member and periodic fees, if applicable;
- f. – The association's branches, procedures for their establishment, how to convoke and complete them, resolving methods, of publishing and acting, competencies and end of term, when applicable;
- g. – Branch or person that represents the entity and extent of power;
- h. – When able to fund subsidiaries, establishment methods;
- i. – Conditions and methods of dissolving
- j. – Statute reform procedures.

**Article 8.** – The name of the association will be the exclusive property of the same. If the goal of one association is the support of an institution with a different name than the association's, both shall have the same legal privilege.

No one association can adopt an identical name to one already registered or so similar that the two can be easily confused.

It is prohibited to use the name “society,” “firm” or “company” when enunciating the name of the association, or any other term which implies that it has different purposes than the ones listed in this law.

**Article 9.** – In the Statutes it is permitted to establish restrictions on associates for the fulfillment of functions in the association, voting rights and separation of members, but the association cannot vary or expand these restrictions, nor suppress the statutory rights of members without previously modifying its basic ordainment.

The associate who separates from the entity loses his association rights, excepting any retained deposits and personal credit quantities he may have against this entity.

**Article 10.** – The following are essential branches of the association:

1. The directive organism whose name is established in the Statutes and will be composed of a minimum of five members and must include a President, a Secretary and a Treasurer, all of legally mature age.
2. A Supervisor of legally mature age.
3. An Assembly or General Board.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 11.** – While the association has not registered, the resolutions, pacts or the social documents will have no legal effect on the injury of third parties. The founding members will not respond in the name of the association to third parties for the circumstances that may arise due to injury.

Once the association is registered, it will respond for the executed actions of its branches through exercising the functions it has and the responsibility of its members will be limited only to contribution or contributions which each has made to the association, excepting what may result from actions of fault or fraud solely and personally done by the member.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 12.** – Subsidiaries may acquire distinct legal entities from the main association, when the statutes of the latter permit it: in this case the statutes of the subsidiary must express clearly the relationship and responsibilities that exist between the two entities, especially in the case of the dissolution or termination of the main association.

**Article 13.** – The association is terminated:

a. – When the number of eligible members is inferior to the necessary for the formation of the directive branch.

b. – If it was dissolved by the authority due to proof of an extreme noted in Article 27.

c. – Once the temporary or transient purpose for which it was founded is accomplished, or due to the legal or material impossibility of accomplishing it. And,

d. – Due to deprivation of its legal capacity, as consequence of a declaration of insolvency or competition; varying in its final purpose; a change in the nature of its legal entity or for not renewing the directive branch in the next year at the agreed term change date in the statutes.

**Article 14.** – Should the association dissolve, its holdings will be distributed according to its statutes. If no specific regulations exist, the holdings will be distributed to each associate proportionately according to his contribution. If so, or if it was statutorily so established, the naming of one to three liquidators will be requested from the Civil Judge corresponding to the residence of the association. The liquidators will be jointly owed an honorary not to exceed 5% of the net product of the liquidated holdings.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 15.** – The associations can admit underage associates, but not under sixteen years old, and without the option of being elected to any post.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 16.** – Associations which reside out of country can act in Costa Rica in the following cases:

1. When establishing a subsidiary with its own Legal Entity that falls under the prescriptions of the present law.
2. If its Statutes are incorporated in the Registry of Associations and in the constitution of an empowered generalissimo, fulfilling all other requirements ordered by the civil laws of all legal entities which act in the country.

In both cases the Articles 226 and 233 of the Commercial Code will be applied as it may fit.

Associations residing out of country and acting in contrary to this Article's provisions will be deemed illicit and its acts in Costa Rica will be voided absolutely.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 17.** – Associates will be considered as such if they comply to the act of constitution of the association. Those admitted after this time must comply with the Statutes, and must be registered in a special book named “Members of the *Such* Association.” In the book will be included, by the order of admission, the names of those who enter to form a part of the association, with indication in each case of the agreement of admission. The cancellations of inscriptions will be made in accordance to the Statutes and through the method indicated in the same, denoting in the agreement of admission a note indicating that the associate has lost his rights.

Operations will be made through chronologically numbered agreements and must be signed by the Secretary.

### CHAPTER III Constitution

**Article 18.** – All associations will be constituted by no less than ten persons of mature age, by drawing up public documents or through an act of official notice of the inaugural session or sessions. In both cases, the document must include the approved statutes and the naming of the directive, and, in the latter case, the document must be signed by this directive, its signatures authenticated by a lawyer or by the political authority of the place.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 19.** – To proceed with the inscription, the respective document must be presented with two common copies or photocopies to the Governor of the province, corresponding to the residence of the association. In smaller districts or cantons, the documentation may be presented to the local political authority, so that it may be sent on to the Governor.

This office will start a file for the association with one of the copies and will send the other to the Ministry of the Interior as the original document.

The Ministry will examine the documentation to establish if it fulfills the requirements of the law and any other relevant provisions. If it finds it defective or lacking it will communicate this to the President of the Directive, indicating the errors, through the political authority of the residence of the association. If the errors or omissions are corrected, or if there are none, the Ministry will send an advertisement for publication in the *Diario Oficial*, noting the constitution of the association, its name, purpose, residence and legal representation and summoning any interested party to object to the inscription in progress, for fifteen able days from the date of its publication.

Once this period ends without opposition or rejected files, the registration may proceed. The reason for registering will be noted in the original document and the same will be done in the respective copy and photocopy which will be returned to the interested.

If the registration is denied, due to opposition or for any other motive, this will be published in “La Gaceta,” it will be final and the administrative route exhausted.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 20.** – Partial or total statute reforms must pass through the same procedures that the previous article indicates and will not take any effect on third parties while they are not registered in the “Registry of Associations.”

The dissolution of any association must also be registered in the cited Registry and be published in the Diario Oficial.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

#### CHAPTER IV Operations

**Article 21.** – The administrative and financial tenure of the associations will last one year. In the first fifteen days of each tenure, the assembly will have an ordinary assembly to hear the reports of the President, the Supervisor and the Treasurer, regarding steps taken during the previous tenure.

*(Thus reformed by Law No 4583, Article 1, May 4, 1970)*

**Article 22.** – In addition to the book indicated in Article 17, and with no negative bearing on any other registers and books it considers convenient to have, the association must have a book of minutes for the General Assembly and the Directive, in the care of the Secretary, and accounting books in the care of the Treasurer. These books must be authorized by the Governor of the province of residence.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

*TACITLY REPEALED by Articles 7 and 8 of the Organic Law of the Ministry of Justice, No 6739, April 28, 1982. For this, see Judgment of the PGR No C-032-97.*

**Article 23.** – The associations can have their own locale or open one for their reunions or for accomplishing their goals. Even so, the authorities can order the closing of the locale if illicit acts, disorders, or crimes against the moral or good customs are committed.

Meetings, conferences and all kinds of manifestations of a political partisan nature are prohibited, as well as facilitating the place for these acts.

*(Thus reformed by Law No 4583, Article 1, May 4, 1970)*

**Article 24.** – The President will be the juridical and extra juridical representative of the association and will have the power of an empowered generalissimo, excepting if the Statutes restrict these faculties, in which case he will have what powers he is granted. The Treasurer will oversee the funds of the association, subject to the guaranties determined by the Statutes, and the Supervisor will oversee that the association's branches strictly observe the requirements of the law and of the Statutes.

*(Thus reformed by Law No 4583, Article 1, May 4, 1970)*

**Article 25.** – The associations which establish the mutual fund in favor of the associates must formalize quarterly accounts of incomes and expenditures and communicate them to the associates. They must cover the administration of funds with a fidelity policy.

**Article 26.** – The associations can acquire all types of goods, can hold contracts of any nature and have any licit operations, if leading to the realization of their goals.

Donations, subsidies, transfers of goods and properties or other economic contributions from the State or its institutions must be supervised by the General Comptroller of the Republic and properly liquidated by the benefited association before the comptroller entity, according to the established ends and the principles of good administration.

If not presented the corresponding liquidations within the month after the closing of the fiscal year, the comptroller entity will officially inform the appropriate active administration and, at the same time, the association that the latter will be forbidden to receive any funds from the State or its institutions, until the required information is received.

*(Thus reformed by Law No 8007, July 4, 2000)*

**Article 27.** – The judicial authority will be the only one able to declare the dissolution of the associations constituted according to this law before their natural expiration term, and when it is requested by two thirds or more of the associates, or when circumstances indicated in paragraphs a), c) and d) of Article 13 occur. Once declared, the dissolution will proceed in the manner indicated in Article 14. The Tribunal will communicate this to the Registry of Associations for the record.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 28.** – The Executive Power is responsible for decreeing the dissolution of the association in the cases determined by Article 34. Once the dissolution is decreed, the Judge will proceed in the manner indicated in the previous article.

**Article 29.** – To credit the legal representation of the association, after its constitution, the Directive's nomination will be registered through protocol in the respective minutes or through an accurate copy of this act on official paper, signed by the President and the Secretary of the association and authenticated by a lawyer or the political authority of the



place. For registration, an official stamp for the value of twenty colones must be attached.

The certification of the agreement will accredit the entity of the representative in all legal aspects.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

## CHAPTER V Special Types of Association

**Article 30.** – Associations may form through the union of two or more associations with legal entities. In the previous cases, the new entity will acquire an independent legal entity from the entities forming it.

This type of association will be distinguished by the terms “federation,” “league” or “union,” which must be integrated in its name and cannot be used by the simple associations.

The federated associations can, in turn, constitute under the same conditions a new form of association which will forcibly take the name “confederation,” term which is reserved exclusively for these types of entities.

**Article 31.** – The formalities for the constitution of these federations and confederations will be the same as the ones determined in this associations law. The statutes of the abovementioned will determine the relationship between the forming entities.

**Article 32.** – Simple, federated or confederated associations whose development or activities are particularly useful to the interests of the State and fulfill a social necessity may be declared publicly useful when they request this of the Ministry of Justice and Grace and if it deems it convenient. To achieve this benefit, the associations must be registered for a minimum of three years and operate legally for the benefit of the community.

The associations recognized as publicly useful may enjoy the exemptions and administrative and economic concessions that the Executive Power may grant them so that they may accomplish their goals. The Ministry of Justice and Grace can revoke this benefit at any time if the reasons for which it was granted disappear. This Ministry will supervise the publicly useful associations and will require annual reports from them.

*This article thus reformed by numeral 67 of Law No 7935, October 25, 1999)*

*[NOTE: article 2, paragraph e), of the Regulatory Law of Exonerations, No 7293, March 31, 1992, concedes privileges only to foundations without profitable ends which are dedicated to the attention to minors under social risk or dedicated to the recollection or treatment of garbage, to the conservation of natural resources, the environment in*

*general, environmental hygiene and public health. All exonerations not predicted in this paragraph are to be tacitly repealed conforming to article 1 of Law No 7293 ibidem).*

## CHAPTER VI Sanctions

**Article 33.** – The following will be penalized two to thirty days fine:

1. – Those who maintain an association secretly or hidden, even when its goals are legal.
2. – The Secretary or Treasurer of an association who does not maintain the books sealed, keeps them outdated by more than six months or refuses to present them at the request of a competent authority.

The following will be fined with thirty to sixty days:

1. – Those who fall in the offenses listed in the previous numerals repeatedly.
2. – Members of the Directive who permit the destination of association funds or act towards different goals than those listed in the statutes as the entity's, or that permit that acts prohibited by Article 23 take place in the locale.

*(Thus reformed by Law No 6020, Article 1, January 3, 1977)*

**Article 33 bis.** – According to the seriousness of the abuse, the justice tribunals can declare the Directives of an association of social well-being, who committed offenses damaging their organization, ineligible to create new organizations of similar nature for up to ten years.

*This article thus added to by numeral 68 of Law No 7935, October 25, 1999.*

**Article 34.** – Associations will be considered illicit and, consequently declared as dissolute, when:

1. – Its leaders have been repeatedly perceived by the Government to fall into the case of numeral 2) of the previous article, without the required actions being taken.
2. – They appear to be dedicated to activities sanctioned by repressive laws or contrary to the moral or good customs or acted subversively.
3. – It appears that the association was formed to conceal distinct goals than the ones defined in the statutes.

**Article 35.** – The members of the directive branch of all associations are obligated to require the functionaries of the entity to fulfill the duties and requirements specified in this present law. They are considered co-authors if it is not clear in the minute books

that, during session, they requested fulfillment of the aforementioned obligations of the directives, and, if not obeyed then, did not denounce the inappropriate acts of those functionaries to the assembly. If the directive branch did not recognize the complaints, the member will be exempt of responsibility if he informs the Governor about it.

The functionaries of the association who suffer a conviction for one of the crimes or faults mentioned herein will be expelled from the entity from the moment the crime is punished.

**Article 36.** – All associations can transform into another entity if the requirements to found another demanded by the law are fulfilled, registering reforms to the statutes if public notice is necessary or with an accurate copy of the reform if this not necessary, but always signed by the Directive. Signatures must be authenticated by a lawyer or the political authority of the place. The provisions of Article 225 of the Commercial Code will apply in all cases and in all that may be appropriate.

*(Thus added on to by Law No 6020, Article 1, January 3, 1977)*

**Article 37.** – Once this law is in force, no associations will register in the Public Registry.

*(Thus added on to by Law No 6020, Article 1, January 3, 1977)*

**TRANSIENT:** The entities dedicated exclusively to religious activities registered in the Public Registry as societies may transform themselves into associations by fulfilling the steps required by this law.

The goods that they have registered in their name in the Public Registry of Property will be transferred to the new association in the same act of constitution, at the request of their legal representation. To have all the benefits of this article, the interested parties must first show the nature of their activities through ad perpetuam information procedure, raised under a competent judicial authority, with intervention from the General Attorney of the Republic.

The judge will rule over the transformation procedure. Once authorized, the notary before whom the decree will be granted must give faith to this circumstance.

*(Thus added on to by Law No 5116, Article 1, November 20, 1972)*

**UNIQUE TRANSIENT:** The associations already registered in the Public Registry must register again in the Registry of Associations by certifying their respective record and its modifications or by constituting again within two years after the date this law was approved. If, for whatever reason, this period has expired or the registration is invalid, they may register again with the referred certification, if the political authority of their residence informs that the associations are functioning. Before registration, the Ministry may require that modifications to the statutes be made so that they can adhere to the law.

Once the two year period has expired, the registered associations that have not reregistered will no longer be valid, with the exception that they have already started the process of reregistration during the mentioned period, with no negative bearing on a constituting again according to this law. Once the association has solicited a new registration, it will be valid under all legal terms. The reregistration will pay an official stamp of fifty colones. Associations with pending registrations in the Public Registry may be pulled from the Public Registry when this law is approved, without giving back the documents, for the registration in the Registry of Associations, or they may be passed to it by the Public Registry for the same purpose, canceling the previous record for presentation. In these cases, if the registration rights have already been paid in the equal or greater value of one hundred colones, payment of the official stamp mentioned in Article 5 will not be necessary. If the payment was lesser than that sum, payment with an official stamp must be made to complete the hundred colones.

*(Thus supplemented by Law No 6020, Article 1, January 3, 1977)*

*(\*) NOTE: The “unique transient” was supplemented by Law No 6020 of January 3, 1977. In that law, the mention of this transient and its supplement was omitted.*