

 <p>ASAMBLEA DEPARTAMENTAL ARCHIPELAGO DE SAN ANDRES PROVIDENCIA Y SANTA CATALINA</p>	<p>ORDENANZA</p> <p>PROCESO DE TRÁMITE DE INICIATIVAS Y PROPOSICIONES</p>	<p>Versión: 1</p>
		<p>Fecha Aprobación: 08/09/2016</p>
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ORDINANCE N° 016 OF 2016
(November 16)

"BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APPROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, PROVIDENCE AND KETHLEENA FOR FISCAL TERM 2017".

THE ASSEMBLY OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, PROVIDENCE AND KETHLEENA, in use of its legal faculties, especially those given by the Decree 111 of 1996 (The Nation’s Organic Budget Statute) and Ordinance 001 of 1997 (The Department’s Organic Budget Statute),

ORDERS

FIRST PART

INCOME BUDGET AND CAPITAL BUDGET

ARTICLE 1. TAX INCOME AND CAPITAL RESOURCES. Numbers are fixed to the Tax and Capital Resources for fiscal term from January 1st to December 31st of 201, to the sum of THREE HUNDRED TWENTY THREE THOUSAND NINE HUNDRED AND THIRTY ONE MILLION SIX HUNDRED AND EIGHTY NINE THOUSAND TWO HUNDRED AND THIRTY NINE PESOS AND FIFTY CENTS (\$323.931.689.239,50), accordingly to how it is detailed in the Tax Budget and Capital Resources; this way:

CONCEPT	2016
A --- CURRENT INCOME	\$276.940.827.488,00
B --- CAPITAL RESOURCES	\$46.990.861.751,50
TOTAL INCOME AND EXPENDITURE BUDGET	\$323.931.689.239,50

SECOND PART
APPROPRIATION OR EXPENDITURE BUDGET

ARTICLE 2. APPROPRIATION OR EXPENDITURE BUDGET. Be appropriated to tend to Operation expenditure, The Department Public Debt Service and General Budget Investment for fiscal term from January 1st to December 31st 2017, to the sum of THREE HUNDRED TWENTY THREE THOUSAND NINE HUNDRED AND THIRTY ONE MILLION SIX HUNDRED AND EIGHTY NINE THOUSAND TWO HUNDRED AND THIRTY NINE PESOS AND FIFTY CENTS (\$323.931.689.239,50), accordingly to how it is detailed in the Appropriation or Expenditure Budget as detailed below:

CONTINUATION ORDINANCE No. 016: "BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APPROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, PROVIDENCE AND KETHLEENA FOR FISCAL TERM 2017".

CONCEPT	PRICE
1 ---- PRESUPUESTO DE FUNCIONAMIENTO	\$ 70.195.781.218,00
1 ---- ASAMBLEA DEPARTAMENTAL	\$ 3.131.424.619,00
1.1 ---- OPERATION	\$ 3.131.424.619,00
2 ---- DEPARTMENTAL COMPTROLLER	\$ 4.193.980.879,00
2.1 ---- OPERATION	\$ 4.193.980.879,00
3 ---- GOVERNMENT	\$62.870.375.720,00
3.1 ---- OPERATION	\$62.870.375.720,00
2 ---- DEBT SERVICE BUDGET	\$ 10.000.000.000,00
3 ---- GOVERNMENT	\$ 10.000.000.000,00
3.2 ---- DEBT SERVICE	\$ 10.000.000.000,00
3.2.1 ---- RETIREMENT OBLIGATIONS	\$ 10.000.000.000,00
3 --- INVESTMENT BUDGET	\$ 243.735.908.021,50
3 --- GOVERNMENT	\$ 171.552.596.643,50
3.3 --- INVESTMENT	\$ 171.552.596.643,50
3.3.1 --- POTABLE WATER AND BASIC SANITATION SECTION	\$11.685.729.826,50
3.3.1.1 --- Improvement of the public service provision in the department of San Andres, Island Caribbean	\$ 8.480.430.776,50
3.3.1.2 --- Services to provide delivery of public services and investment in the section in San Andres Island, Caribbean	\$3.005.299.050,00
3.3.1.3 --- Design and construction, adjustment, enlargement, embellishment of cemeteries San Andres, Caribbean	\$200.000.000,00
3.3.2 --- SPORTS SECTION	\$12.129.000.000,00
3.3.2.1--- Construction, endowment and maintenance of sport and recreational scenarios of San Andres, Caribbean	\$1.650.000.000,00
3.3.2.2 --- Construction, adjustment, adjustment, improvement and maintenance of parks, plazas and small squares in San Andres, island.	\$4.000.000.000,00
3.3.2.3 --- Development and embellishment of public joy spaces in San Andres island.	\$1.250.000.000,00
3.3.2.4 --- Reinforcement and organization of the Departmental Sports system in San Andres island.	\$787.000.000,00
3.3.2.6 --- Support to different sport organizations and to sportspeople for development and attendance to sports events in San Andres, San Andres Caribbean.	\$3.052.000.000,00
3.3.2.7 --- Implementation of the recreation and use of free time in San Andres	\$1.250.000.000,00
3.3.2.8 --- Reinforcement and positioning of high performance sports in San Andres Island	\$46.000.000,00
3.3.3 --- CULTURE SECTION	\$12.583.500.000,00
3.3.3.1 --- Development of the Culture with + Creative talent San Andres, San Andres, Caribbean	\$143.500.000,00
3.3.3.2 --- Support in the promotion and preservation through + Circulation of culture in San Andrés	\$4.520.000.000,00
3.3.3.3 --- Reinforcement and support to the cultural processes with + Artistic Practice in San Andres, Caribbean.	\$350.000.000,00
3.3.3.4 --- Reinforcement of libraries and Cultural Houses of San Andres, San Andres	\$70.000.000,00
3.3.3.5 --- Acquisition, construction, improvement, maintenance, embellishment and endowment of strategic infrastructure in the Archipelago; all the Department, San Andres, Caribbean	\$7.500.000.000,00
3.3.4 --- AGRICULTURE AND FISHING SECTION	\$13.023.407.120,00

CONTINUATION ORDINANCE No. 016: "BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APPROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, PROVIDENCE AND KETHLEENA FOR FISCAL TERM 2017".

CONCEPT	PRICE
3.3.4.1 --- Study and conservation of species threatened 2016-2020 in the Sea Flower Biosphere Reserve.	\$200.000.000,00
3.3.4.2 --- Improvement of the governability of the hydro biological and fishing resources in the Sea Flower Biosphere Reserve 2016-2020 in San Andres, Old Providence and Kethleena.	\$429.000.000,00
3.3.4.3 --- Development of integral study and control actions of the Lionfish invasion 2016-2020 in the Sea Flower Biosphere Reserve.	\$100.000.000,00
3.3.4.4 --- Study and management of fishing resources focusing on the ecosystem 2016-2020 in the Sea Flower Biosphere Reserve.	\$400.000.000,00
3.3.4.5 --- Sustainable Integral development of artisanal fishing 2016-2020 in San Andres, Old Providence, and Kethleena.	\$300.000.000,00
3.3.4.6 --- Reinforcement of cold chain and commercialization of artisanal fishermen associations 2016-2020 of San Andres and Old Providence islands.	\$500.000.000,00
3.3.4.7 --- Agricultural technical assistance directed to rural and small agricultural female producers of San Andres, Old Providence and Kethleena.	\$200.000.000,00
3.3.4.8 --- Implementation of development and reinforcement of the agricultural section 2016-2020 of the Department of San Andres, Old Providence and Kethleena.	\$400.000.000,00
3.3.4.9 --- Implementation of strategy and support of technical and financial program to productive initiatives of the associations 2016-2020 of San Andres, Old Providence and Kethleena.	\$300.000.000,00
3.3.4.10 --- Implementation of productive and sustainable units of urban agriculture 2016-2020 in San Andres island	\$300.000.000,00
3.3.4.11 --- Support to Nourishing Security Program for small agricultural producers 2016-2020 in San Andres, Old Providence, and Kethleena	\$700.000.000,00
3.3.4.12 --- Genetic improvement of bovine, ovine and porcine subsectors in the Department of San Andres, San Andres, Caribbean	\$200.000.000,00
3.3.4.13 --- Implementation of the agricultural program since preschool 2016-2020 in San Andres island	\$800.000.000,00
3.3.4.14 --- Productive reforestation 2016-2020 in San Andres, Old Providence, and Kethleena	\$800.000.000,00
3.3.4.15 --- Construction of the Artisanal Market for farmers (Farmers Market) in San Andres, island Municipality	\$1.800.000.000,00
3.3.4.16 --- Acquisition of mobile offices with point of sales for fishermen associations of San Andres, Old Providence, and Kethleena islands	\$350.000.000,00
3.3.4.17 --- Acquisition of Kiosks and sanitary batteries for fishermen of San Andres, Old Providence, and Kethleena	\$350.000.000,00
3.3.4.18 --- Technological and educational innovation, social business education in San Andres island	\$800.000.000,00
3.3.4.19 --- Training in fishing and aquiculture resources use in the Department	\$700.000.000,00
3.3.4.20 --- Construction and adjustment of the Artisanal Fishing Terminal	\$3.394.407.120,00
3.3.5 --- HABITABILITY SECTION	\$1.400.000.000,00
3.3.5.1 --- Construction of priority and social interest housing for vulnerable population of San Andres Island	\$600.000.000,00
3.3.5.2 --- Improvement of vulnerable population housing of the island of San Andres	\$800.000.000,00
3.3.6 --- SUSTAINABLE TOURISM SECTION	\$17.970.000.000,00

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CONCEPT	PRICE
3.3.6.1 --- Construction, adjustment and maintenance of public spaces and sites of touristic interest San Andres island	\$10.850.000.000,00
3.3.6.2 --- Construction and adjustment of balcony restaurant on The Hill of San Andres. San Andres, Caribbean	\$4.000.000.000,00
3.3.6.3 --- Training and awareness of Tourist Service Provider (PST) and Tourist Service Operators (OST) San Andres, San Andres, Caribbean	\$2.050.000.000,00
3.3.6.4 --- Touristic promotion of the Archipelago of San Andres, Providence and Kethleena as a tourist destination of all the Department, San Andres, Caribbean	\$750.000.000,00
3.3.6.5 --- Reinforcement and improvement of the service delivery by tourist operators and guides in San Andres, San Andres, Caribbean	\$100.000.000,00
3.3.6.6 --- Implementation of tourist security programs in the island of San Andres	\$220.000.000,00
3.3.6 --- GOVERNABILITY SECTION	\$6.650.000.000,00
3.3.6.1 --- Technological and communicational reinforcement of the Government of San Andres Island	\$500.000.000,00
3.3.6.2 --- Reinforcement of document management of the Government of San Andres Island	\$500.000.000,00
3.3.6.3 --- Reinforcement of public communication of the Department of San Andres island	\$2.600.000.000,00
3.3.6.4 --- Construction, adjustment, maintenance, acquisition, modernization and endowment of public service building's infrastructure in the Department	\$3.050.000.000,00
3.3.7 --- COMMERCE AND ECONOMIC INTEGRATION	\$350.000.000,00
3.3.7.1 --- Reinforcement of local capacities to improve economic management and participation in international commerce in San Andres Island	\$350.000.000,00
3.3.8 --- CIVILIAN, DEMOCRATIC AND COMMUNITARY PARTICIPATION SECTION	\$7.965.000.000,00
3.3.8.1 --- Implementation of 24 hours Customer Service at Commissariat for Family of San Andres Island	\$600.000.000,00
3.3.8.2 --- Development of processes for civilian participation and mitigation of rights vulnerability in San Andres islands	\$150.000.000,00
3.3.8.3 --- Rehabilitation of interns at the penitentiary and prison establishment in San Andres Island	\$500.000.000,00
3.3.8.4 --- Disaster risk management and prevention in San Andres	\$650.000.000,00
3.3.8.5 --- Reinforcement of leadership, local experiences of citizenship and public policies with communal action organizations in San Andres island	\$200.000.000,00
3.3.8.6 --- Reinforcement of the Firefighters Official Corps of San Andres island	\$215.000.000,00
3.3.8.7 --- Implementation of the program for boys, girls, and adolescents victims of family violence in San Andres islands	\$50.000.000,00
3.3.8.8 --- Implementation of spaces for justice, security and civilian coexistence in San Andres islands	\$5.500.000.000,00
3.3.8.9 --- Construction, adjustment, and endowment of the Specialized minor offender care center in San Andres island	\$100.000.000,00
3.3.9 --- ROAD NETWORK AND WATER DRAINAGE	\$8.063.006.726,00
3.3.9.1 --- Rehabilitation and/or maintenance of roads in legalized neighborhoods and sectors in San Andres Island	\$2.700.000.000,00
3.3.9.2 --- Maintenance and improvement of heavy machinery of the Department Government of San Andres	\$250.000.000,00

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CONCEPT	PRICE
3.3.9.3 --- Adjustment and maintenance of unpaved roads in San Andres	\$500.000.000,00
3.3.9.4 --- Construction, rehabilitation and improvement of the sewage and water system in San Andres islands	\$122.351.726,00
3.3.9.5 --- Construction, implementation, rehabilitation and improvement of pedestrian walkways in San Andres islands	\$4.200.000.000,00
3.3.9.6 --- Maintenance and operation of water drainage network in San Andres Caribbean	\$200.000.000,00
3.3.9.7 --- Studies and designs of prioritized roads in the Departmental Road Plan	\$90.655.000,00
3.3.10 --- POPULATION GROUPS WITH SPECIAL PROTECTION SECTION	\$6.390.000.000,00
3.3.10.1 --- Reinforcement of capabilities and social inclusion of vulnerable population of the Department of San Andres, Caribbean	\$2.010.000.000,00
3.3.10.2 --- Reinforcement of Raizal and resident family capabilities San Andres, San Andres, Caribbean	\$300.000.000,00
3.3.10.3 --- Protection of the dreams of early childhood, boys and girls of the Department of San Andres, Caribbean	\$500.000.000,00
3.3.10.4 --- Reinforcement of Gender perspective with participation and inclusion of women in the Department, San Andres, Old Providence and Kethleena	\$200.000.000,00
3.3.10.5 --- Implementation of a program for the dreams and inclusion of handicapped people in the department of San Andres island	\$50.000.000,00
3.3.10.6 --- Formulation, characterization, care and attention of homeless people and their families San Andres, San Andres, Caribbean	\$80.000.000,00
3.3.10.7 --- Reinforcement of social transformation of the Raizal People. All the Department. San Andrés, Caribbean	\$1.450.000.000,00
3.3.10.8 --- Implementation of Public policies for boys, girls, adolescents, and youngster care San Andres islands	\$250.000.000,00
3.3.10.9 --- Protection Implement the respect policy to LGBTI people of the Department of San Andres, Old Providence and Kethleena. All the Department, San Andres, Caribbean	\$50.000.000,00
3.3.10.10 --- Reinforcement of integral care and more wellness for the elderly in San Andres island. San Andres, Caribbean	\$450.000.000,00
3.3.10.11 --- Reinforcement and more cultural-recreational gatherings for elderly people New beginning other motive for living of San Andres, Caribbean	\$180.000.000,00
3.3.10.12 --- Support and more access to urban and rural transportation for elderly people of San Andres, San Andres, Caribbean	\$100.000.000,00
3.3.10.13 --- Construction, adjustment, and endowment of Day for elderly people care center of San Luis and The Hill in San Andres island, Caribbean	\$500.000.000,00
3.3.10.14 --- Reinforcement for + social inclusion directed to beneficiaries of the Families in Action program. San Andres, Caribbean	\$150.000.000,00
3.3.10.15 --- Support to relocated population of San Andres islands	\$20.000.000,00
3.3.10.16 --- Assistance and more social inclusion to overcome extreme poverty – United Network Strategy in San Andres island	\$50.000.000,00
3.3.10.17 --- Construction and endowment of Youth House in San Andres island	\$50.000.000,00
3.3.11 --- POPULATION CONTROL SECTION	\$2.032.000.000,00
3.3.11.1 --- Population density control in the Department of San Andres, San Andres, Caribbean	\$2.032.000.000,00
3.3.12 --- ENVIRONMENTAL SECTION	\$700.000.000,00
3.3.12.1 --- Reinforcement for a + sustainable Archipelago San Andres island	\$200.000.000,00

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CONCEPT	PRICE
3.3.12.2 --- Development of actions for integral management of environmental and tourism quality improvement of the beaches in San Andres islands	\$500.000.000,00
3.3.13 --- MOBILITY SECTION	\$29.129.917.734,00
3.3.13.1 --- Implementation of a municipal pound for + safe and + pedagogical mobility in San Andres islands	\$2.300.000.000,00
3.3.13.2 --- Implementation of a + regulated + safe mobility for the community of San Andres islands	\$4.246.000.000,00
3.3.13.3 --- Implementation of deepening dredging for ports of San Andres and Old Providence	\$22.583.917.734,00
3.3.14 --- INVESTMENT TRANSFERS	\$39.291.035.237,00
3.3.14.1 --- Municipality of Old Providence	\$33.581.885.237,00
3.3.14.2 --- CORALINA (on land)	\$1.209.150.000,00
3.3.14.3 --- Contingency Fund – Sentences and Conciliations	\$4.500.000.000,00
3.3.15 --- SCIENCE, TECHNOLOGY, AND INNOVATION SECTION	\$190.000.000,00
3.3.15.1 --- Reinforcement of social appropriation of science, technology and innovation in San Andres island	\$190.000.000,00
3.3.16 --- ENTREPRENEURING AND TRAINING FOR WORK	\$2.000.000.000,00
3.3.16.1 --- Reinforcement of business development, entrepreneuring and training for work in the Department	\$2.000.000.000,00
4 --- DEPARTMENTAL EDUCATION FUND	\$32.454.866.957,00
4.3 --- INVESTMENT	\$32.454.866.957,00
4.3.1 --- Teachers – Educational Institutions	\$12.085.000.000,00
4.3.2 --- Teacher directives – Educational Institutions	\$3.931.000.000,00
4.3.3 --- Administrative personnel – Educational Institutions	\$15.169.866.957,00
4.3.3.1 --- Termination of social benefits	\$1.200.000.000,00
4.3.3.2 --- Provision of educational service	\$6.599.685.961,00
4.3.3.3 --- School nutrition supply in San Andres Isla 2013-2015	\$3.493.380.978,00
4.3.3.4 --- Protection reinforcement of activities at Ludic House Nave Chills San Andres, San Andres, Caribbean	\$100.000.000,00
4.3.3.5 --- Reinforcement of ICTs in Educational Institutions of the Department, San Andres, Caribbean	\$150.000.000,00
4.3.3.6 --- Acquisition and endowment of physical, technical and didactic materials for official educational institutions of the Department of San Andres Island	\$426.800.018,00
4.3.3.7 --- Reinforcement, coverage extension and registration in educational institutions of the Department	\$2.250.000.000,00
4.3.3.8 --- Conservation of National ephemera and educational events in the Department	\$300.000.000,00
4.3.3.9 --- Continuous training to teacher directives, teachers and students to strengthen transversal projects in San Andres, San Andres, Caribbean	\$500.000.000,00
4.3.3.10 --- Implementation of the Ludic House Cove in San Andres island	\$50.000.000,00
4.3.3.11 --- School transport services in San Andres island	\$100.000.000,00
4.3.4 --- Teacher directives – Educational Institutions	\$1.269.000.000,00
5 --- DEPARTMENTAL HEALTH FUND	\$37.107.204.421,00
5.3 --- INVESTMENT	\$37.107.204.421,00
5.3.1 --- Public Health	\$33.609.516.421,00
5.3.2 --- Other health resources	\$3.497.688.000,00
6 --- GENERAL ROYALTY SYSTEM	\$0,00
6.3 --- INVESTMENT	\$0,00
7 --- OTHER FUNDS	\$2.621.240.000,00
7.3 --- INVESTMENT	\$2.621.240.000,00
7.3.1 --- Redistribution and solidarity fund	\$1.310.620.000,000
7.3.2 --- Acquisition of Areas of interest for municipal sewage	\$1.310.620.000,00

CONCEPT	PRICE
TOTAL EXPENDITURE BUDGET OR APPROPRIATION	\$323.931.689.239,00

THIRD PART

GENERAL DISPOSITION

ARTICLE 3. The Department Archipelago of San Andres, Providence and Kethleena will have a single budget that will be elaborated and executed in conformity to the norms of the Law 38 of 1989, the Law 179 of 1994, the Law 225 of 1995, the Law 617 of 2000, the Decree 111 of 1996 and the Ordinance 001 of 1997 Organic Statute for Departmental Budget. The income budget and Capital Resources and Expenditure or Appropriations for fiscal term 2017, will be adjusted to the norms that modify or add to it and the general disposition of the hereby Ordinance.

ARTICLE 4. The general disposition is in effect for all authorities and sections that are part of the Department General Budget.

ARTICLE 5. The Income Budget will include the estimation of Current Income, Special Funds and Capital Resources that it is hoped to be collected during the fiscal term.

ARTICLE 6. Accordingly to that established by Articles 345 and 353 of the Political Constitution of Colombia, the money collected or perceived by Departmental bodies must be incorporated in the Department General Budget.

ARTICLE 7. The execution of the budget belongs to the Governor who is will be the only Authorizing Officer.

ARTICLE 8. The Department General Budget is formulated and elaborated under the principles of the budget system, those are: planning, annuity, universality, cash unit, integral programming, specialization, unseizability, macro economical coherence, sustainability and fiscal stability.

ARTICLE 9. PLANNING PRINCIPLE. The Department General Budget that is annually issued must reflect the medium and long term plans. Consequently, to its elaboration, it will be taken in to account the objectives of plans, economic and social development programs, the Departmental Financial Plan and Investment Annual Operative Plan and the evaluation that is made to them.

ARTICLE 10. ANNUITY PRINCIPLE. The fiscal term starts January 1 and it ends December 31. After December 31, commitments cannot be assumed charging appropriations of the fiscal term that is closed in that date and the balances of appropriation not affected by commitments will expire with no exception.

ARTICLE 11. UNIVERSALITY PRINCIPLE. The income estimates will include the total of income, resources and yields from services or activities of the Department or the entities or authorities of the Department and all the capital resources that will be received during the fiscal term without any deduction. The budget will include the total of public expenses that it is expected to be made during the respective fiscal term.

ARTICLE 12. CASH UNIT PRINCIPLE. With the collection of all taxes and resources that are integrated, will be made timely payment of appropriations authorized in the Department Budget.

ARTICLE 13. INTEGRAL PROGRAMMING PRINCIPLE. All budget programs must simultaneously contemplate investment and operation expenses that all technical and administrative needs demand as necessary to its execution and operation, accordingly to the procedures and current legal standards.

ARTICLE 14. ESPECIALIZATION PRINCIPLE. The appropriations must be referred to each authority or entity of the Department's Administration to its object and functions, and will be strictly executed accordingly to the goal they were programmed for.

ARTICLE 15. UNSEIZABILITY PRINCIPLE. The income and capital resources integrated to the Department Budget are unseizable.

ARTICLE 16. MACRO ECONOMICAL COHERENCE PRINCIPLE. The budget must be compatible with the macro economical goals fixed by the Government.

ARTICLE 17. SUSTAINABILITY AND FISCAL STABILITY PRINCIPAL. The budget will take into account that the growth of the expenditure must follow the evolution of long term income or structural of economy; in such a way that the income budget, included in additional credit, must be congruent to economy growth, so that no economic disequilibrium is generated.

ARTICLE 18. No project could be executed without having been selected as viable and evaluated socially, technically and economically. Moreover, it must be registered and systematized in the Project Bank managed by the Departmental Secretariat of Planning and the Departmental Development Plan.

ARTICLE 19. The Municipality of Providence will have, in the departmental income, a participation not inferior to (20%) of the total value of that income, according to the article 210 of the National Constitution.

ARTICLE 20. The Department Archipelago of San Andres, Old Providence, and Kethleena will continue to perceive the national contributions and other participations that the Law establishes for Territorial Entities.

ARTICLE 21. For the contributions and social interest programs developed by the Department with non-profit private entities with recognized suitability, it will be an indispensable requirement to celebrate contracts between these entities and the Department. Moreover, the programs and activities to be executed must be consistent to the Departmental Development Plan. The private entities must comply with all the requirements fixed by the Law and the regulations for the celebration of these contracts.

ARTICLE 22. ANNUAL CASH FLOW PROGRAM -PAC-. The executions of the expenditure of the Department General Budget will be done through the Annual Cash Flow Program -PAC-. This is the instrument through which it is defined the monthly maximum amount of available funds in the Department General Treasury for payment authorizations to comply with the commitments. The Department General Treasury will communicate each of the offices that

make part of the Department General Budget the annual goals in monthly payment form for the elaboration of the Annual Cash Flow Program –PAC- with a basis on the financial goals determined by the Fiscal Policies Department Council –CODFIS- or whomever acts like it.

ARTICLE 23. In the elaboration and execution of the Annual Cash Flow Program, the offices that make the Department General Budget will tend as a priority and timely the payment of pension allowances, direct personal services, payroll transfers to social security entities, law contributions, general expenditure, debt interests, debt amortization, and investment.

ARTICLE 24. The offices that make part of sections of the Department General Budget will present the Annual Cash Flow Program for Operational expenditure and Debt Service to the Department General Treasury before December 20 with its respective expenditure classification. The PAC of investment must be presented to the Administrative Planning Department in the same date mentioned, who will evaluate and make all corresponding adjustments and will refer it to the Department General Treasury before December 26, for its consolidation and presentation to the Fiscal Policies Department Council –CODFIS-.

ARTICLE 25. When the Department Treasury consolidates the Annual Cash Flow Program – PAC- program, with all request forms presented to the offices, it will make the verification facing the financial goals and respective monthly plan. If any differences may present, it will make all necessary adjustments to make it coherent and will be submitted for approval to the Fiscal Policies Department Council –CODFIS- by December 28 the latest, each year. Once it is approved but this council, it will notify the respective offices.

ARTICLES 26. The Department's Administration in the Settlement Decree will define the Expenditure and Income concepts. Likewise, it will reclassify in the corresponding accounts or subaccounts, the income or expenditure items without changing the value of each budgetary section and operation expenditure level, service of the debt and investment expenditure in the approved budget through Resolution.

ARTICLE 27. It corresponds to the Governor, through the Secretariat of Finance, to settle, ordain, and pay the debts of the Administration and arrange how to cover the credits, either directly, by delegation, or advance.

ARTICLE 28. When there is the need to make internal adjustments to the Income and Expenditure Budget, without altering the total amount, it will be made by decree, using the budgetary operations of credit, counter credit, according to the case, as established on the Decree 111 of 1996, the Organic Budget Statute.

ARTICLE 29. The resources from the General System of Participations assigned to the Department, those from the celebration of agreements and contracts and others of specific destination to a national level, that are not compromised nor executed to the closure of fiscal term 2016, just as the financial yields originated in the same resources, and those coming from the balance, must be assigned to Fiscal term 2017 for the constitutionally and legally planned, from the Department Government, integrating them through a decree, as established in Law 715 of 2001 and other regulating dispositions and with a maximum due date of 10 days formal notification to the Assembly.

ARTICLE 30. The resources from the General System of Participation, those from transfers from a National central level, those from agreements and contract celebration, and other

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from specific destination of a national level must be incorporated to the General Budget through a Decree and with a maximum due date of 10 days formal notification to the Assembly.

ARTICLE 31. The Governor is authorized to integrate and make all necessary adjustments in the budget of fiscal term 2017, in the events in which it is in process a bidding, tender, or any other selection process of a contractor with all legal requirements, included budget availability and its perfection be made in the following fiscal term, according to the second section of the article 8 of Law 819 of 2003.

PARAGRAPH. The Department's Administration will send to the Assembly on January 10 the list of selection processes that started their process in 2016, whose perfection will be made in the present fiscal term.

ARTICLE 32. The Department's Administration, through and administrative act correctly enacted, will be able to make budgetary transfers within and between the added in Operation and Debt and Investment Services of the General Expenditure Budget according to what is established in the Law.

ARTICLE 33. Allocations made to the Budget will be made having into account the provision originally made in the commitments that are acquired and, with charge to that same rubric, the rest of inherited costs or accessories will be covered. With charge to the appropriations of each budgetary rubric that are affected with the initial commitments, all derived obligations to these commitments will be covered, such as unplanned costs, adjustments and revision of values.

ARTICLE 34. Contracts cannot be made nor obligations cannot be contracted without the respective budgetary appropriation has been constituted, in order to guarantee existing resources to deal with the commitments. In consequence, no authority will be able to contract obligations over inexistent items or balance excess available, with anticipation to the corresponding additional credit opening or with a charge to credit resources whose loan leases are not perfected, and whomever does it will respond personally and financially to the contracted obligations.

ARTICLE 35. The Treasury office will not be able to make any payments without the due legal procedures and the presented bills have been properly authorized and acknowledged by the Authorized Official.

In general, be prohibited to process or legalize administrative acts or obligations that affect the Expenditure Budget when legal requirements are not met, not following due process or be determined as accomplished facts.

The accomplishment of the obligations acquired by de Department's Administration in virtue of the facts fulfilled, can only de sought through Prejudicial Conciliation figures.

The personnel will respond disciplinarily, fiscally, and criminally for violating the established in this regulation.

ARTICLE 36. The proposal to modify the personnel presented to the Departmental Assembly will exact the following requirements for its consideration and process:

- Presentation of motives
- Costs and Expenses comparing the current personnel and the proposed.
- Effects on the investment expenditure.
- Previous concept of the Secretariat of Planning if investment expenditure is affected.

For all legal effects, the limit of personnel expenses will be understood as the budgetary appropriation amount.

All remuneration that has salary characteristics will be paid by payroll. Wages and order of services of the Department workers can be paid by payroll.

ARTICLE 37. No Department worker can oblige themselves to make payments or contract commitments in the name of the Administration, not contemplated in the Expenditure Budget. Whomever goes against this regulation will be personally responsible of the contracted obligations, without prejudice of the administrative or criminal penalties that may correspond.

ARTICLE 38. The dependencies with Departmental characteristics that have investment appropriation in the budget, obligately will prioritize the continuation of already initiated work before starting another, in accordance to the plans and programs.

ARTICLE 39. The contracts celebrated by the Department's Administration and its public establishments will be regulated by the legal norms contained in the Law 80 of 1993 and other legal disposition that regulates, modifies or repeals it.

ARTICLE 40. The Department's Secretariat of Planning will establish within the Investment Project Bank Guide the methodologies that must be implanted for the follow up of projects just as the opportunity to refer the information that meets this end.

ARTICLE 41. The companies, decentralized offices or rotatory funds that don't present their budgets timely for their inclusion as annex to the Department's Budget will have suspended the payment of any amount that by any concept must receive with the charge to the Department's Budget; and those responsible will receive administrative penalties that may be imposed.

ARTICLE 42. In the Expenditure budget will only be included the appropriations related to:

- Legally contracted credits.
- Expenses decreed by Law.
- Judicial Sentences, Conciliations and Arbitration awards.

ARTICLE 43. The natural persons linked by Service delivery contracts will only have right to payment expressly convened. In no case will the payment of social benefits can be agreed.

ARTICLE 44. The Secretary of Finance will only able to issue Budgetary Availability Certifications for a specific object of a contract. Therefore, it is prohibited to issue or use global budgetary availabilities to celebrate more than one contract or expense.

Nonetheless, based on the Legality of Expenditure Principle, Global Budgetary Availability Certifications can be issued that support expenses, either from operation or investment, for: public services, administrative installments, bank commissions, travel allowance and trip expenses, for the subsidiary regimen, first level emergency service of the Secretariat of Health, the expenses destined to support emergencies, disasters and public calamities; just as to support other expenses without previous justification.

Likewise, Global Budgetary Availability Certifications can be issued to make replacements to exceptional reserves and the corresponding adjustment.

ARTICLE 45. Investment Projects: Investment projects is understood as the group of actions that require the use of resources to satisfy an identified need. There can be four types of investment projects defined as it follows:

- Projects that generate direct or indirect benefits as goods and services.
- Productive projects of regional, departmental and local impact that generate benefits to the community, as employment, production cost reduction, transportation, etc.
- Projects that fulfils the purpose of capacity recovery of direct benefits such as alphabetization activities, training, nourishing, disease eradication, vaccination, woman, childhood, and elderly care.
- Projects that do not generate direct nor indirect benefits, but allow the identification of future projects. These are basic studies or research.

ARTICLE 46. Departmental Investment Projects Bank. It is an information system that registers investment projects selected as viable, susceptible to be financed with resources of the budget and internal and external departmental credit, previously evaluated technically, economically, and socially.

ARTICLE 47. Annual Investment Operative Plan. The Annual Investment Operative Plan makes part of the budgetary system of the Department and it indicates the investment and projects to be executed, classified by sectors, offices, entities and programs with an indication of the priority projects and compromised validities, specifying its value.

PARAGRAPH. In the Department's Annual investment operative plan cannot be included projects that do not make part of the Investment Projects Bank.

ARTICLE 48. The Department's Secretariat of Planning, according to the current regulations, will elaborate and update the guide that contains the methodology of the Department's Investment Projects Bank, in which will be included, with no exception, all steps that must be followed, just as all the necessary definitions, for investment projects evaluation, classification and technical, economic, and social viability, for the corresponding follow up, once being incorporated in the budget.

PARAGRAPH. The guide will distinguish different evaluation degrees, according to the needs the project seeks to cover and the value of the investment, classifying such degrees as it corresponds to pre-investment, investment or execution stage.

ARTICLE 49. Project Bank Departmental Network. The Department's Secretariat of Planning will organize and coordinate a Project Bank network which will be constituted by the

Department's and the Municipality's investment projects bank that meets all the necessary requirements to participate.

With the purpose of participating in the Departmental network, the Municipality's projects bank will use in its setting information systems, evaluation and follow up methodologies compatible with the National Investment Projects Bank.

ARTICLE 50. All investment projects registered in the Investment Project Bank will be evaluated, among others, on the following aspects:

- Technical evaluation: it establishes a technical viability to execute a project and the type of construction or physical and personnel infrastructure that it is required to be carried out.
- Economic evaluation: it assesses costs and benefits attributed to the project, in order to determine the convenience of its execution, both independently or in relation to other investment projects that are being considered.
- Social evaluation: it introduces corrections to the values used in the economic evaluation and it adds other values, in order to determine costs and benefits that the execution of a project represents to the economy compound. It will be applicable in the cases in which the methodology of the Department's Investment Projects Bank so designates.

ARTICLE 51. The projects that are to be registered in the Department's Investment Projects Bank, can be by any Secretariat or entity attached or linked to one of these.

ARTICLE 52. The Investment Projects Bank will return all projects that do not meet adequately the established requirements, and the methodology of the Investment Projects Bank.

ARTICLE 53. The office that works as technical control will review the project in a month time and, if found adjusted to the methodologies, it will refer it to the Planning Administrative Department so it proceeds to its registration in the Project Bank if it finds the project as viable from the technical, economic, and social points of view. In the investment projects viability assessments that the Department's Secretariat of Planning makes, the technical units of the Secretariats of the Administrative Departments along with Planning offices of decentralized entities, and those of the municipality from where the projects are from, can participate.

PARAGRAPH. If the project is not found adjusted to the methodology or if ranked non-viable, the Department's Secretariat of Planning will return it to the author of the evaluation, indicating the mistakes or deficiencies in the implementation of the methodologies established, explaining the reasons that motivated the negative rating of validity.

ARTICLE 54. The Department's Administration is authorized to issue the acts and make the budgetary movements necessary to guarantee the salary increase payment authorized by the National Government to the Governor and other Department's public servers.

ARTICLE 55. The resources resulting from the balance and transfers from a national level can be incorporated to the Department's General Budget through an administrative act properly issued.

ARTICLE 56. The technical control instances will be the following:

- The projects originated in the Municipality will be revised by the Secretariats, Administrative departments or entities, in accordance to the section the project corresponds to.
- The projects originated in decentralized entities of the Department will be revised by the Secretariat of Administrative Department it is attached or linked to.
- The projects originated in the Secretariats will be revised by the corresponding unit of the Department's Secretarial of Planning.

ARTICLE 57. In the case that it has been contemplated several projects that seek to satisfy the same needs, the authors of one and another project will be summoned to coordinate actions, integrating and complementing the objectives.

PARAGRAPH. If no agreement is made during project selection, the Department's Secretariat of Planning, through the respective unit, will determine the project of preference for its incorporation to the Annual Investment Operative Plan, identifying the other(s) as alternative projects.

ARTICLE 58. With the purpose of providing technical assistance to the Municipality that is not in the capacity of making an evaluation of its own projects, not hiring the consulting services adequate to that end, the Department's Secretariat of Planning will play that role.

ARTICLE 59. In the case that the Department's Secretariat of Planning cannot provide the technical assistance mentioned in the previous article, such assistance can be provided through national entities depending the section.

ARTICLE 60. Each investment project will be referred to the Department's Project Bank, the remittent will elaborate a profile based on the forms administered by the Department's Secretariat of Planning and in which the basic information is included to identify the inherent principal aspects of the project at hand.

ARTICLE 61. During the year, investment projects can be registered in the Department's Project Bank. For investment projects assessment, only those that have been registered by far June 30 (each year) will be considered. To those meetings where the project is discussed on and on which the Annual Investment Operative Plan is adopted, the Secretariats, Administrative Departments and entities can attend in their own right, in order to defend their respective projects.

ARTICLE 62. Project updating. Once a year, in June, the Department's Investment Project Bank will make a list of those projects that are more than two years old since its registration date and have not been incorporated in the budget. Such list will be referred to the office or Municipality that had the initiative, so they can determine which they desire to keep.

PARAGRAPH. In the case that it is decided to keep a project, it is the office's or Municipality's responsibility to update the values used in the initial evaluation; if not done, those projects will be taken out of the bank.

ARTICLE 63. Registration responsibility. The registration of an investment project will be made by the Department's Secretariat of Planning when a complete and correct technical,

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economic and social evaluation is made, as pointed out in the methodology of the Project bank and it is ranked viable.

PARAGRAPH. The Investment Projects Bank's manual can be changed or modified maximum once a year without affecting the projects that have been registered with preceding methodologies.

ARTICLE 64. Access to Projects Bank. The sectorial Secretariats have righteous access to the direct information system of the Investment Projects Bank. The decentralized entities (and the Municipality's) can inquire about this information (in a magnetic media) that by its nature or legal mandate is related to the entities or interested instance's activity.

ARTICLE 65. Execution control. The Department's Secretariat of Planning will ask for the information of the execution of the projects included in the Annual Investment Operative Plan of each responsible Secretariat or dependency in order to exact its compliance within the administrative efficiency criteria.

ARTILE 66. The Central Administration of the Department will have the capability to hire and comprise and order the expense in execution of the appropriations incorporated in its section, which constitutes budgetary autonomy to which the Political Constitution and the Law refers to.

ARTICLE 67. The Governor is authorized and entitled to celebrate contracts and agreements necessary in conformity with the Laws 80 of 1993 and 1150 of 2007 and its Regulatory Decrees, the Decree 777 of 1992 and the Law 489 of 1998; and grant the necessary warranties. The Governor must have the explicit approval of the Departmental Assembly (according to the article 18 of Law 1551 of 2012), to hire, in the following cases:

- Loan contracts.
- Contracts that compromise future validities
- Real estate sales.
- Sales of assets, shares, quotas share.
- Concessions.
- Others determined by Law.

ARTICLE 68. The commissions of the Departmental Assembly will safeguard the compliance of the programs established by the Government and included in its Development, Economic and Social Plan, that are made by the Department's Government and its decentralized entities.

ARTICLE 69. To the effect of all investment expenses, it must be taken into account the Decree 2762 of 1991, by which measures are adopted to control the population density in the Department Archipelago of San Andres, Old Providence, and Kethleena, with no detriment of the other national regulations that control for such effect.

ARTICLE 70. The ordinance hereby goes into effect from the moment it is sanctioned and published.

Approved at the Hall of Sessions of the Honorable Departmental Assembly, during its ordinary session on November Sixteen (16th), two thousand sixteen (2016).


OSCAR BOWIE STEPHENS
President


JENIFER BENT OLMOS
General Secretary

THE DEPARTMENTAL ASSEMBLY OF SAN ANDRES, PROVIDENCE, AND KETHLEENA, THE GENERAL SECRETARY OF THE DEPARTMENTAL ASSEMBLY OF SAN ANDRES, PROVIDENCE AND KETHLEENA CERTIFIES: that the ordinance hereby went under the three obligatory debates in different dates and Ordinary Sessions: **FIRST DEBATE IN COMISSION**, on November 9th, 2016, **SECOND PLENARY DEBATE**, on November 15th, 2016, **THIRD PLENARY DEBATE**, on November 16th, 2016; becoming the Ordinance 016 of November 16th, 2016.


JENIFER BENT OLMOS
General Secretary



GOBERNACIÓN

Departamento Archipiélago de San Andrés,
Providencia y Santa Catalina
Reserva de Biosfera Seaflower
Nit: 892.400.038-2

CONTINUATION OF THE **ORDINANCE No. 016 OF 2016** "BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, PROVIDENCE AND KETHLEENA FOR FISCAL TERM 2017".

DEPARTMENT ARCHIPELAGO OF SAN ANDRES, OLD PROVIDENCE, AND KETHLEENA.

PRIVATE SECRETARY: San Andres island, November 21th, 2016: I received the Ordinance hereby and hand it to the Governor's Office for its sanction.

VANESSA CORREAL CAMARGO
Private Secretary

GOVERNOR'S OFFICE, San Andres Island, November 23rd, 2016.

BE IT EXECUTED AND COMPLIED

RONALD HOUSNI JALLER

Governor