



ORDENANZA

PROCESO DE TRÁMITE DE INICIATIVAS Y PROPOSICIONES

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ORDINANCE No. 008 OF 2017 (November 15)

"BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APPROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, OLD PROVIDENCE, AND KETHLEENA FOR FISCAL TERM 2018".

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 Budget Organic Statute) and Ordinance 001 of 1997 (The Department's Budget Organic Statute),

ORDERS

FIRST PART

INCOME BUDGET AND CAPITAL RESOURCES

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 2018, to the sum of THREE HUNDRED FORTY SIX THOUSAND SEVEN HUNDRED AND NINETY THREE MILLION ONE HUNDRED AND FIFTEEN THOUSAND NINE HUNDRED AND SIXTY THREE PESOS (\$346.793.115.963,00), accordingly to how it is detailed in the Tax Budget and Capital Resources; this way:

CONCEPT	2016
1. CURRENT INCOME	\$216.757.136.991,00
2. SPECIAL FUNDS	\$48.350.909.933,00
3. CAPITAL RESOURCES	\$81.686.069.039,00
TOTAL INCOME AND EXPENDITURE BUDGET	\$346.793.115.963,00

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 2018, to the sum of THREE HUNDRED FORTY SIX THOUSAND SEVEN HUNDRED AND NINETY THREE MILLION ONE HUNDRED AND FIFTEEN THOUSAND NINE HUNDRED AND SIXTY THREE PESOS (\$346.793.115.963,00), accordingly to how it is detailed in the Appropriation or Expenditure Budget as detailed below:

CONCEPT	PRICE
OPERATION TOTAL	\$ 85.921.136.638,00
DEPARTMENTAL ASSEMBY	\$ 4.033.374.179,00
OPERATION	\$ 4.033.374.179,00
DEPARTMENTAL COMPTROLLER	\$ 4.123.299.104,00
OPERATION	\$ 4.123.299.104,00
GOVERNMENT	\$ 260.885.734.398,00
OPERATION	\$ 77.764.463.355,00
** DEBT SERVICE TOTAL **	\$ 10.000.000.000,00
DEBT SERVICE	\$ 10.000.000.000,00
** INVESTMENT TOTAL **	\$ 250.871.979.325,00
INVESTMENT	\$ 173.243.271.043,00
POTABLE WATER AND BASIC SANITATION SECTION	\$13.920.496.270,00
Design and construction, adjustment, enlargement, embellishment of cemeteries San Andres, Caribbean	\$250.000.000,00
Solidarity and redistribution fund	\$1.288.531.000,00
Area of interest for municipal sewage acquisition fund	\$1.288.531.000,00
Improvement of the public service provision in the department of San Andres, Island Caribbean	\$3.158.000.000,00
Improvement of the public service provision in the department of San Andres, Island Caribbean – Department	\$1.000.000.000,00
Improvement of the public service provision in the department of San Andres, Island Caribbean – Municipality	\$4.076.000.000,00
Taxes managed and classified by uncertified municipalities - Old Providence	\$250.000.000,00
Services to provide delivery of public services and investment in the section in San Andres Island, Caribbean	\$2.609.434.270,00
SPORTS SECTION	\$9.009.800.000,00
Support to different sport organizations and to sportspeople for the development and attendance to sports events in San Andres, San Andres Caribbean.	\$700.000.000,00
Construction, adjustment, and maintenance of sport and recreational scenarios of San Andres, Caribbean	\$3.197.800.000,00
Construction, refurbishing, adjustment, improvement and maintenance of parks, plazas and small squares in San Andres, island.	\$3.140.000.000,00
Development and embellishment of public enjoyment spaces in San Andres island.	\$625.000.000,00
Reinforcement and organization of the Departmental Sports system in San Andres island.	\$880.000.000,00
Reinforcement and positioning of high performance sports in San Andres Island	\$44.000.000,00
Implementation of the recreation and use of free time in San Andres	\$368.000.000,00
Implementation of sports programs in San Andres island	\$55.000.000,00
CULTURE SECTION	\$13.666.529.999,00
Acquisition, construction, improvement, maintenance, embellishment and endowment of strategic infrastructure in the Archipelago; all the Department, San Andres, Caribbean	\$7.918.329.999,00
Support in the promotion and preservation through + Circulation of culture in San Andrés	\$4.935.000.000,00
Development of the + Creative Talent culture in San Andres, San Andres, Caribbean	\$105.000.000,00

CONTINUATION OF THE ORDINANCE No. 008 OF 2017: "BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APPROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, OLD PROVIDENCE, AND KETHLEENA FOR FISCAL TERM 2018".

CONCEPT	PRICE
Reinforcement of libraries and Cultural Houses of San Andres, San Andres	\$183.200.000,00
Reinforcement and support to the cultural processes with + Artistic Practice in San Andres, Caribbean.	\$525.000.000,00
AGRICULTURE AND FISHING SECTION	\$8.825.800.000,00
Acquisition of Kiosks and sanitary batteries for fishermen of San Andres, Old Providence, and Kethleena	\$1.000.000.000,00
Acquisition of mobile offices with sales point for fishermen associations of San Andres, Old Providence, and Kethleena islands	\$150.000.000,00
Support to Nourishing Security Program for small agricultural producers 2016-2020 in San Andres, Old Providence, and Kethleena	\$100.000.000,00
Training in fishing resources use processes and aquiculture use in the Department	\$120.000.000,00
Construction of the Artisanal Market for farmers (Farmers Market) in San Andres, island Municipality	\$900.000.000,00
Construction and adjustment of the Artisanal Fishing Terminal	\$1.370.000.000,00
Development of integral study and control actions of the Lionfish invasion 2016-2020 in the Sea Flower Biosphere Reserve.	\$200.000.000,00
Sustainable Integral development of artisanal fishing 2016-2020 in San Andres, Old Providence, and Kethleena.	\$400.000.000,00
Study and conservation of threatened species 2016-2020 in the Sea Flower Biosphere Reserve.	\$600.000.000,00
Study and management of fishing resources focusing on the ecosystem 2016-2020 in the Sea Flower Biosphere Reserve.	\$830.000.000,00
Reinforcement of cold chain and commercialization of artisanal fishermen associations 2016-2020 of San Andres and Old Providence islands.	\$100.000.000,00
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.	\$222.000.000,00
Implementation of development and reinforcement of the agricultural section 2016-2020 of the Department of San Andres, Old Providence and Kethleena.	\$90.000.000,00
Implementation of productive and sustainable units of urban agriculture 2016-2020 in San Andres island	\$100.000.000,00
Technological and educational innovation, social business education in San Andres island	\$80.000.000,00
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.	\$678.800.000,00
Genetic improvement of bovine, ovine and porcine subsectors in the Department of San Andres, San Andres, Caribbean	\$105.000.000,00
Productive reforestation 2016-2020 in San Andres, Old Providence, and Kethleena	\$1.530.000.000,00
HABITABILITY SECTION	\$3.335.427.890,00
Construction of priority and social interest housing for vulnerable population of San Andres Island	\$1.411.000.000,00
Stratification	\$100.000.000,00
Formulation, adoption and revision of the Land Use Plan San Andres, San Andres, Caribbean	\$1.183.427.890,00

CONCEPT	PRICE
Improvement of vulnerable population housing of the island of San Andres	\$641.000.000,00
SUSTAINABLE TOURISM SECTION	\$25.317.800.000,00
Construction and adjustment of balcony restaurant on The Hill of San Andres. San Andres, Caribbean	\$2.000.000.000,00
Construction, adjustment and maintenance of public spaces and sites of touristic interest San Andres island	\$19.367.800.000,00
Design of a Public Tourism Policy in the Department of San Andres	\$900.000.000,00
Touristic promotion of the Archipelago of San Andres, Providence and Kethleena as a tourist destination of all the Department, San Andres, Caribbean	\$500.000.000,00
Training and awareness of Tourist Service Provider (PST) and Tourist Service Operators (OST) San Andres, San Andres, Caribbean	\$50.000.000,00
Reinforcement of the PIT operation through physical adjustment and permanent personnel through all the Department, San Andres, Caribbean	\$200.000.000,00
Implementation of tourist security programs in the island of San Andres	\$2.300.000.000,00
ENTREPRENEURING AND TRAINING FOR WORK	\$1.930.069.877,00
Reinforcement of business development, entrepreneurship and training for work in the Department	\$1.930.069.877,00
GOVERNABILITY SECTION	\$8.774.302.254,00
Construction, adjustment, maintenance, acquisition, modernization and endowment of public service building's infrastructure in the Department	\$4.801.000.000,00
Reinforcement of public communication 2017-2020 of the Department of San Andres island	\$2.058.302.254,00
Reinforcement of document management of the Government of San Andres Island	\$360.000.000,00
Technological and communicational reinforcement of the Government of San Andres Island	\$500.000.000,00
Improvement of public management and transparency of the Government of San Andres, island	\$1.055.000.000,00
COMMERCE AND ECONOMIC INTEGRATION	\$50.000.000,00
Reinforcement of local capacities to improve economic management and participation in international commerce in San Andres Island	\$50.000.000,00
CIVILIAN, DEMOCRATIC AND COMMUNITARY PARTICIPATION SECTION	\$5.181.514.692,00
Construction, adjustment, and endowment of the Specialized minor offender care center in San Andres island	\$190.000.000,00
Development of processes for civilian participation and mitigation of rights vulnerability in San Andres islands	\$90.000.000,00
Reinforcement to control and supervision of street sales, stationaries, and commercial establishments San Andres	\$50.000.000,00
Reinforcement of the Firefighters Official Corps of San Andres island	\$846.514.692,00
Reinforcement of leadership, local experiences of citizenship and public policies with communal action organizations in San Andres island	\$190.000.000,00
Implementation of spaces for justice, security and civilian coexistence in San Andres islands	\$3.235.000.000,00

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CONCEPT	PRICE
Implementation of the program for boys, girls, and adolescents' victims of family violence in San Andres islands	\$120.000.000,00
Implementation of 24 hours Customer Service at Commissariat for Family of San Andres Island	\$250.000.000,00
Disaster risk management and prevention in San Andres	\$150.000.000,00
Rehabilitation of interns at the penitentiary and prison establishment in San Andres Island	\$60.000.000,00
ROAD NETWORK AND WATER DRAINAGE	\$28.788.355.311,00
Adjustment and maintenance of unpaved roads in San Andres	\$950.000.000,00
Construction, implementation, rehabilitation and improvement of pedestrian walkways in San Andres islands	\$2.332.000.000,00
Construction, rehabilitation and improvement of the sewage and water system in San Andres islands	\$2.591.175.863,00
Study to mitigate the impact of sedimentation at the unloading point of the gullies to the sea.	\$500.000.000,00
Maintenance and improvement of heavy machinery of the Government of the Department of San Andres	\$250.000.000,00
Maintenance and operation of water drainage network in San Andres Caribbean	\$1.262.400.000,00
Rehabilitation and/or maintenance of the Hill's main road in San Andres Island	\$4.897.500.000,00
Rehabilitation and maintenance of prioritized roads in the Departmental Road Plan	\$2.644.000.000,00
Rehabilitation and/or maintenance of roads in legalized neighborhoods and sectors in San Andres island	\$13.361.279.448,00
POPULATION GROUPS WITH SPECIAL PROTECTION SECTION	\$2.502.000.000,00
Support to relocated population of San Andres islands	\$50.000.000,00
Support and more access to urban and rural transportation for elderly people of San Andres, San Andres, Caribbean	\$79.200.000,00
Assistance and more social inclusion to overcome extreme poverty – United Network Strategy in San Andres island	\$80.000.000,00
Construction, adjustment, and endowment of the Elderly people Day care center of San Luis and The Hill in San Andres island, Caribbean	\$632.000.000,00
Formulation, characterization, care, and attention of homeless people and their families San Andres, San Andres, Caribbean	\$69.000.000,00
Reinforcement of integral care and wellness for the elderly in San Andres island. San Andres, Caribbean	\$470.000.000,00
Reinforcement of Gender perspective with participation and inclusion of women in the Department, San Andres, Old Providence and Kethleena	\$59.300.000,00
Reinforcement of social transformation of the Raizal People. All the Department. San Andrés, Caribbean	\$330.300.000,00
Reinforcement of Raizal and resident family capabilities San Andres, San Andres, Caribbean	\$95.000.000,00
Reinforcement for + social inclusion directed to beneficiaries of the Families in Action program. San Andres, Caribbean	\$180.000.000,00
Reinforcement and more cultural-recreational gatherings for elderly people New beginning other motive for living of San Andres, Caribbean	\$140.000.000,00
Reinforcement of the dreams of the young to acknowledge their rights in the Department of San Andres, Caribbean	\$84.200.000,00

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CONCEPT	PRICE
Implementation of a program for + dreams and inclusion of handicapped people in the department of San Andres island	\$58.000.000,00
Protection of the dreams of early childhood, boys and girls of the Department of San Andres, Caribbean	\$140.000.000,00
Protection and implementation of the Respect Policy to LGBTI people of the Department of San Andres, Old Providence, and Kethleena. All the Department, San Andres, Caribbean	\$35.000.000,00
POPULATION CONTROL SECTION	\$2.036.000.000,00
Population density control in the Department of San Andres, San Andres, Caribbean	\$2.036.000.000,00
ENVIRONMENTAL SECTION	\$3.000.000.000,00
Development of actions for integral management of environmental and tourism quality improvement of the beaches in San Andres islands	\$200.000.000,00
Reinforcement for a + sustainable Archipelago San Andres island	\$2.800.000.000,00
MOBILITY SECTION	\$2.340.000.000,00
Implementation of a municipal pound for + safe and + pedagogical mobility in San Andres islands	\$750,000,000.00
Implementation of a + regulated + safe mobility for the community of San Andres islands	\$1.590.000.000,00
SCIENCE, TECHNOLOGY, AND INNOVATION SECTION	\$143.382.000,00
Reinforcement of social appropriation of science, technology and innovation in San Andres island	\$143.382.000,00
INVESTMENT TRANSFERS	\$44.421.792.750,00
Municipality of Old Providence	\$33.581.885.237,00
CORALINA (on land)	\$1.209.150.000,00
Contingency Fund – Sentences and Conciliations	\$4.500.000.000,00
DEPARTMENTAL EDUCATION FUND	\$46.771.058.349,00
INVESTMENT	\$46.771.058.349,00
OPERATION	\$25.802.000.000,00
EDUCATION QUALITY	\$20.969.058.349,00
School nutrition supply in San Andres, Caribbean	\$3.861.360.000,00
Acquisition and endowment of physical, technical and didactic materials for official educational institutions of the Department of San Andres Island	\$380.000.000,00
Conservation of National ephemera and educational events in the Department	\$100.000.000,00
Construction and adjustment of infrastructure for early childhood care in San Andres island	\$1.075.648.258,00
Continuous training to teacher directives, teachers and students to strengthen transversal projects in San Andres, San Andres, Caribbean	\$3.388.468.100,00
Reinforcement of ICTs in Educational Institutions of the Department, San Andres, Caribbean	\$300.000.000,00
Reinforcement, coverage extension and registration in educational institutions of the Department	\$2.270.000.000,00
Implementation of the Ludic House Cove in San Andres island	\$50.000.000,00
Protection reinforcement of activities at Ludic House Nave Chills San Andres, San Andres, Caribbean	\$50.000.000,00
Recovery, adjustment, and maintenance of the Official Education Infrastructure 2016-2019 in San Andres island	\$2.374.000.000,00

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CONCEPT	PRICE
School transport services in San Andres, Caribbean municipality	\$600.000.000,00
Development of linguistic and academic competences in students of middle school San Andres Caribbean	\$500.000.000,00
Acquisition and endowment of a Mega School in San Luis Sector in the island of San Andres	\$6.019.581.991,00
DEPARTMENTAL HEALTH FUND	\$30.857.649.933,00
INVESTMENT	\$30.857.649.933,00
TOTAL EXPENDITURE BUDGET	\$346.793.115.963,00

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 Departmental Budget Organic Statute. The income budget and Capital Resources and Expenditure or Appropriations for fiscal term 2018, 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 with previous approval by the Departmental Assembly.

ARTICLE 7. The execution of the budget corresponds 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, for its elaboration, it will be taken in to account the objectives of the 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

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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, a timely payment of appropriations authorized in the Department Budget will be made.

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 Old Providence will have, in the departmental income, a participation not inferior to (20%) of the total value of that income, according to the article 310 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 Departmental Treasury for payment authorizations to comply with the commitments. The Departmental 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 comprise the Department General Budget will tend to, 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 Departmental 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 Departmental Treasury before December 26, for its consolidation and presentation to the Fiscal Policies Department Council –CODFIS-.

ARTICLE 25. When the Departmental Treasury consolidates the Annual Cash Flow Program –PAC -, 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, order, 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 Budget Organic Statute.

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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 2017, just as the financial yields originated in the same resources, and those coming from the balance, must be assigned to Fiscal term 2018 for the goals constitutionally and legally planned by the Departmental Government, integrating them through a decree, as established in Law 715 of 2001 and other regulating disposition.

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 others from specific destination of a national level must be incorporated to the General Budget through a Decree.

ARTICLE 31. The Governor is authorized to integrate and make all necessary adjustments in the budget of fiscal term 2018, 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 is made in the following fiscal term, according to the second section of the article 8 of Law 819 of 2003, previously authorized by the Departmental Assembly.

ARTICLE 32. The Department's Administration, through an 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.

PARAGRAPH. One the administrative act, the latter article refers to, is issued, the Department's Administration will notify the Assembly within the 10 days after.

ARTICLE 33. Allocations 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 having the respective budgetary appropriation 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 properly authorized and acknowledged by the Authorized Official.

In general, be prohibited the processing or legalization of 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 be 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 entail 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. About future validities. The authorization of future validities granted by the Departmental Assembly that affect budgets of future validities must respect, at all times, the conditions over which they were granted. When it is required to modify the deadline and/or annual quota of future validities authorized by the Departmental Assembly, this will entail, previously to the assumption of the respective obligation or modification of the conditions of the existing obligation, the reprogramming of the future validities in which it is specified the new authorized deadline and/or annual quotas.

When after the granting of an authorization of future validities, the Departmental Government requires the modification of the object or objects or the amount of the remuneration to its charge, it will be necessary to make request at the Departmental Assembly for a new authorization of future validities that includes all modifications or additions required before the assumption of the respective obligation or modification of the conditions of the existing obligation.

Paragraph 1. All modifications to the amount of the remuneration the Departmental Government oversees and are originated exclusively in the financial adjustments of the amount and are not associated in the provision of goods or additional services to the ones initially planned, will be processed as a reprogramming of future validities.

Paragraph 2. The latter with no prejudice if it is the case of new future validities, there must be a fiscal approval by the Departmental Assembly, and a declaration of strategic importance by the Government Council, in the cases the regulations so demands it.

ARTICLE 39. The annual quotas authorized to assume compromises of future validities but no used before December 31 of the year they are authorized will lapse, unless the cases mentioned in article 31 of the ordinance hereby, accordingly to the section 2 of article 8 of Law 819 of 2003.

When it is not possible to make the budgetary adjustments corresponding to the fiscal term, as referred to in section 2 of article 8 of Law 819 of 2003, it will be required a reprogramming of the annual quotas authorized by the Departmental Assembly, in order to give continuity to the selection process of the contractor.

ARTICLE 40. The dependencies with Departmental characteristics that have investment appropriation in the budget, obligatorily will prioritize the continuation of already initiated work before starting another, in accordance to the plans and programs.

ARTICLE 41. 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 42. 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 43. 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 be made with charge to the Department's Budget; and those responsible will receive administrative penalties that may apply.

ARTICLE 44. In the Expenditure budget it can only be included the appropriations related to:

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

ARTICLE 45. With no prejudice of fiscal or disciplinary responsibility that may apply, when in past validities no payment has been made to acquired obligations with the formalities stated in the Budget Organic Statute and other rules that regulate the subject, and no budgetary reserve or the corresponding bills have not been constituted, the rubric "Exigible Liabilities – Expired Validities" can be created and, with charge to this, order the payment.

The latter mentioned budgetary procedure can also be made when the payment could have not been made regardless of a timely constitution of a budgetary reserve or bill within the terms of the article 78 of Ordinance 001 of 1997 Departmental Budgetary Organic Statute.

The mechanism mentioned in the first section of this article can also proceed when it is related to the compliance of an obligation originated within the law, exigible in previous validities, even without the mediation of a budgetary availability certification or budgetary registry.

When one of the latter conditions is met, the "Payment of Exigible Liabilities" expense can be made through the corresponding budgetary rubric, accordingly with the detail in the annex of the Settlement decree. In the moment the budgetary registration is made, the expression "Payment of Exigible Liabilities" should be allocated. A copy of the administrative act that orders the payment should be referred to the General Comptroller of the Republic or the General Comptroller of the Department, as appropriate.

In all cases, the Departmental Government shall previously certify the compliance of the requirements highlighted in this article.

The perceived in the present article does not apply when configured as fulfilled facts.

ARTICLE 46. The natural persons binded 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 47. 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.

ARTICLE 48. 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 fulfil 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 49. 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 50. 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 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 51. 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 it 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 52. 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 banks that meet 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 53. 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 54. 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 55. 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 56. The office that works as technical control will review the project in a month time and, if found attuned 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 viable from the technical, economic, and social points of view. The technical units of the Secretariats of the Administrative Departments along with Planning offices of decentralized entities, and

those of the municipality where the projects are from, can participate in the viability assessments for investment projects that the Department's Secretariat of Planning makes.

PARAGRAPH. If the project is found noncompliant 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 57. 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 58. The resources resulting from the balance of local income of 2017, and the resources added during term 2018, can be incorporated to the Department's General Budget through an administrative act properly issued.

ARTICLE 59. 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 or 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 Secretariat of Planning.

ARTICLE 60. In the case that several projects that seek to satisfy the same needs have been contemplated, 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 inclusion in the Annual Investment Operative Plan, identifying the other(s) as alternative projects.

ARTICLE 61. With the purpose of providing technical assistance to the Municipality that is not in the capacity of making an evaluation of its own projects, nor hiring the adequate consulting services for that end, the Department's Secretariat of Planning will provide the technical assistance.

ARTICLE 62. 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 63. The new resources deriving from those assigned to the Department by the Participations General System, those from the celebration of treaties and contracts and others of specific destination to a national level, obtained during the fiscal term 2018, can be incorporated to the budget for the ends planned both legal and constitutionally, by the Departmental Government, including them through an administrative act, accordingly to Law 715 of 2001 and other regulatory dispositions.

ARTICLE 64. The remittent of each investment project referred to the Department's Project Bank 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 primary inherent aspects of the project at hand.

ARTICLE 65. 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. The Secretariats, Administrative Departments and entities, in their own right, and in order to defend their respective projects, can attend to those meetings in which the Annual Investment Operative Plan is discussed and adopted.

ARTICLE 66. 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 included in the budget. Such list will be referred to the office or Municipality that had the initiative, so they can determine which one(s) they desire to be kept.

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 withdrawn from the bank.

ARTICLE 67. Registration responsibility. The registration of an investment project will be made by the Department's Secretariat of Planning when a complete and correct technical, 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 68. 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 activity of the entities or interested instance.

ARTICLE 69. 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 70. 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 71. 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

CONTINUATION OF THE ORDINANCE No. 008 OF 2017: "BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APPROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, OLD PROVIDENCE, AND KETHLEENA FOR FISCAL TERM 2018".

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
- Sales and alienations of real estate.
- Sales of assets, shares and quotas share.
- Concessions.
- Others determined by Law.


ARTICLE 72. 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 73. To the effect of all investment expenses, Decree 2762 of 1991 must be taken into account by means of 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 govern for such effect.

ARTICLE 74. 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 extraordinary session on November 15th of 2017.


BRADISON FERNANDEZ BRYAN
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 this ordinance went under the three obligatory debates in different dates and Extraordinary Sessions: **FIRST DEBATE IN COMISSION** on November 9, 2017; **SECOND PLENARY DEBATE** on November 14, 2017; **THIRD PLENARY DEBATE**, on November 15, 2017; becoming the Ordinance 008 of November 15, 2017.


JENIFER BENT OLMOS
General Secretary



GOBERNACIÓN

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

CONTINUATION OF THE **ORDINANCE No. 008 OF 2017** "BY MEANS OF WHICH THE HONORABLE DEPARTMENTAL ASSEMBLY APPROVES THE INCOME AND EXPENDITURE BUDGET OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, OLD PROVIDENCE, AND KETHLEENA FOR FISCAL TERM 2018".

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

PRIVATE SECRETARY: In San Andres island, on November 22, 2017, 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 29, 2017.

BE IT EXECUTED AND COMPLIED

RONALD HOUSNI JALLER
Governor