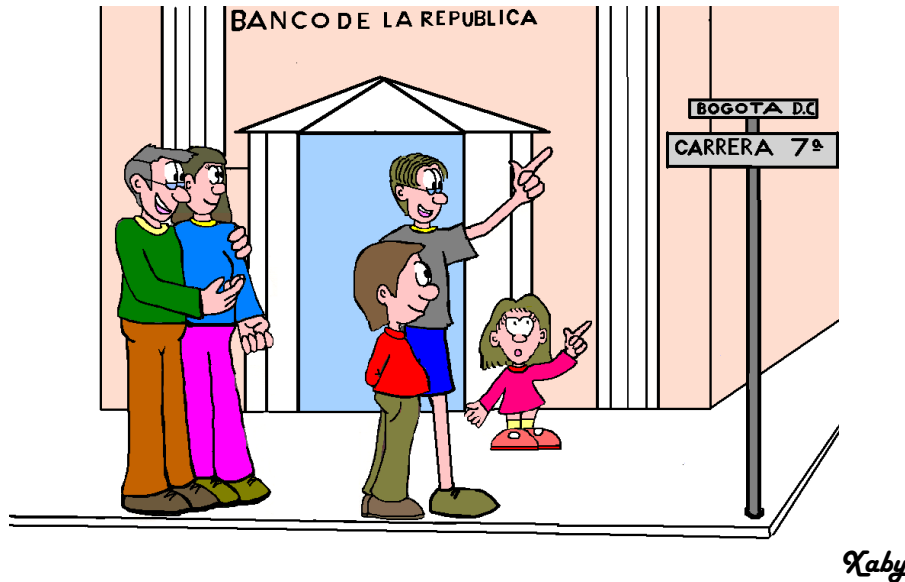


THE CHAPTER XIII

THE ECONOMIC OR FINANCIAL RÉGIME AND OF THE PUBLIC FUNDS IN COLOMBIA



I. THE DIALOGUE CONSTITUTIONAL: THE ECONOMIC RÉGIME, OF PLANNING, BUDGETARY, FINANCIAL AND EXCHANGE COLOMBIAN

VICTORIA: Mommy, the building of the Bank of the Republic as imposing as her functions of Bank of Banks and of Bank of the Colombian State? I ask you this, because being of tourism in downtown of Bogotá, capital of our country, I listen my teacher Marina, to mention that the principal bank entity that carries out functions of regulation of the money supply, of emission of money, of bank credit, of national and international exchange activities and to serve as fiscal agent of the government in the economic and financial politics; among many others. If that is true, really the building like their functions and competitions are important for all the Colombians.

ARMANDO: Victoria, we are in the career seventh with Avenue *Jimenez*. Historical corner of *Bogotá*, but now beautifully converted, where we don't only see the Central Bank or of the Republic, but rather from here we can look at the Congress of the Republic, the Presidential Palace and the Palace of Justice in the distance. All these state institutions, like we have seen in earlier traveled by the capital of the Republic, they have proposal functions, legislative passage and of jurisdictional control of the economic and financial politics of the State. If you don't believe me, ask to our father, because all country in the world should have development plans, budgets, tributes or taxes to achieve the purposes

and social, political, cultural and economic improvement, that is to say, to develop activities and administrations of Social State of Right.

LUCIO: Please dear siblings, this tourist trip for *Bogotá*, demonstrate me that you have learned so much of the structure, organization and functions of the Colombian State that today gives me fear to correct or to add them some other explanation. For sample a button, so much the one as the other one is right on the Public Treasury, the government finances, the planning, the budget and the state entity in charge of the being Central Bank from Colombia. Alone it subtracts me to tell them that the same as the Nation, the Departments, Districts and Municipalities have their government finance régime, planning and of annual budget.

MARÍA PEACE: My small Victoria, you as always are right and your teacher and more siblings. As well as in our home I am the one that formulates, it develops and it executes the monthly budget of the family, planning the amount of what should be invested in education, health, wardrobe, feeding and creation; you as to enjoy and to enjoy that investment and your father like to generate the revenues fruit of their work and to take the homemade accounting; likewise the State has institutions and specialized people to drift, to formulate the plans, the budgets, to order the expenditures, to execute the programs prior approval by means of laws or administrative acts and finally to control administrative as judicially. Our family finances are the example of the finances of the State in proportion from a grain of sand to the throughout beach that is the Colombian State.

LIBORIO: My darling, Maria Paz. It is the clearest example in comparison of the private finances and the government finance. Indeed, a State like ours has some tax revenue and not tributary that serve especially from base to the expenditures and investments that he/she should make to have a level of life worthy of all the inhabitants of the Colombian territory, in education, health, housing, works of infrastructure vial, of telecommunications, airway, etc. The plans of economic and social development of the Nation and of the Territorial Entities, they are the base of the financial, tributary system and Colombian budgetary, in and of itself it is that the economic régime and of the public funds in the one that you/they participate the three branches of the public power is as sensitive to all human person as to the same State, because of it depends it that the countries of the world advance, stagnate or even go back in their integral development. For fortune, our country is in a recovery state and advance.

II. THE CONSTITUTIONAL LESSON: THE PLANNING AS PRIOR AND NECESSARY INSTRUMENT OF THE USE AND STREAMLINE HANDLING OF THE RESOURCES OF THE STATE

The planning system in Colombia from the Constitution of 1886; as well as in the current Constitution of 1991, it has occupied a primordial place into the purposes of the State and the improvement and domestic social and economic development.

“The planning is one of the basic administrative functions and the necessary passage for any modification, especially when it is pursued the best use and rational handling of resources. It is also, the principle of a chain of administrative decisions; if he/she thinks about (for example, at municipal level), the construction of a street, they will be able to be organized the means with which they are counted, to execute the work and to establish the mechanisms correctives, being the planning a primordial factor for the development of the municipality, the organizations and their inhabitants (...).

The planning is a process in constant evolution, integrated by some elements commons that give him its conformation and connotation. Independently of the followed mechanics, the planning should have a basic technical foundation, some objective achievable a basic information about the planning object, a previous diagnosis on the conditions of the same one, a mechanism of selection in the best way of facing the problem a formulation of a working plan and a planning fellow (...)” FLOREZ G., Caesar A. **PLANNING AND MUNICIPAL DEVELOPMENT**. ESAP, Bogotá, 1987, p. 23-24

In 1968 the politics of unitary national gliding prevailed, as thesis, which was born of the government's exclusive initiative.(...), it was processed of agreement with the rules of the article 80 and it was sent by the Congress (...). This unitary tool rebounded in the departmental and municipal environments, because, the Congress, by means of law that should have initiative of the Government, fixed the procedures, modifications and validity of the plans and departmental and municipal programs (...). However the system didn't work for the impossibility of applying the procedure of the article 80.

The planning system provided in the National Constitution of 1991, differs of the earlier Constitution in three fundamental aspects: a) Favorable a transparent system. In the *Planning Councils*, to whichever level, representatives of the citizenship will intervene and of the sectors in that this is divided (art.340); b) The participation of the territorial entities is bigger, since they make part of the *National Council of Planning*, consultative organism of the government for the elaboration of the national plan, they participate directly in the elaboration of the plan; c) Transform the planning instrument into a reality. If the Congress doesn't approve the National Plan of Investments (part of the PND or National Plan of Development), the government will put it in effect by means of a Decree with law forced (C.N., of 1991, art. 341, inc. 3).

The Constitution of 1991 wanted to make explicit the importance from the development plans when the preference that you/they will have the laws of plans on the other laws settling down (C.N. Art. 341). These superior laws will also have a very special quality: ‘will constitute suitable mechanisms for their execution and they will replace the existent ones without necessity of the expedition of laws *a posteriori*’. The above-mentioned is explained in reason of the nature of the plans that you/they are not generally presented as mandates but rather as descriptions and recommendations. Of there the necessity to give to the law of the plan a possibility of being executed immediately, although their articulate one is not made up of norms, in the strict sense of the word” (*Constitutional Court of Colombia, Sentences C-478-92*)

III. THE CONSTITUTIONAL GLOSSARY

BANK OF THE REPUBLIC: Economic entity and financial principal or central of the State. They will be basic functions of the Bank of the Republic: to regulate the money supply, the international exchanges and the credit; to issue the legal tender; to administer the international reserves; to be the lender of last resort and banker of the credit establishments; and to serve as fiscal agent of the government and the one of maintaining the purchasing power of the currency.

BUDGET: It is a political, economic instrument and legislative that it contains the government's financial plan, expressed in form of annual programs of activities of the essential services and that they indicate the origin and amount of the resources that expect to collect and the cost of this programs in function of the results that they are sought to reach and the necessary resources to achieve it. In Colombia, by means of the revenues budget and expenditures, they provision their public services and they are evaluated and they develop the Nation, the Departments, the Districts and the Municipalities.

BUDGET DEPARTMENTAL, MUNICIPAL AND DISTRICTAL: These are formulated annually by the departmental, municipal Governments and district and they are approved by means of administrative acts (ordinances and municipal agreements and district respectively), for the departmental Assemblies and the Municipal Councils and district corresponding.

FREE COMPETITION: It is a constitutional law, not absolute that conforms to for the free private initiative and the enterprise freedom. The economic freedom and initiative private in Colombia are free into the limits of the very common one. For their exercise, nobody will be able to demand previous permits neither requirements, without authorization of the law.

PATRIMONY OF THE STATE: It is kind of the gender of the property with entitlement of the State like body corporate of Public law. The state Patrimony conforms it a group of movable and immovable and into them the subsoil and the nonrenewable natural resources.

PLAN OF DEVELOPMENT: It is instrument political, economic and that initially it is of governmental origin (national, regional or local), in which they are formulate and prospect politics of economic development for a State, a department, a District or a Municipality, for a lapse of time. *The National Plan of Development in Colombia* is structured of two parts: one part general and a plan of investments of the public entities of the national order. In the general part the purposes and national objectives of long term, the goals and priorities of intermediate-term state activities and the strategies and general orientations of the economic, environmental and social policy to be adopted by the government. The plan of public investments will contain the multi-year budgets of the principal programs, strategies, and projects of national public investment and the specification of the required financial resources for its execution.

PUBLIC FUNDS: Science that studies the finances of the State, the juridical, social, political and economic régime of the plans and programs of economic and social development of the State and the Territorial Entities; as well as the régime budgetary and tributary publics.

PUBLIC SERVICES: They are duties of the State, and which should assure their efficient provision to the inhabitants of the national territory. The public services are inherent to the social purpose of the State. The public services are domestic when the Nation and the territorial entities should assure their effective provision in the houses, working places, public and private offices or any private or public property. The principal domestic public services are that of electricity, potable water needs, telephony and gas. The Municipalities are obliged to their provision, and the departments will complete support functions and coordination.

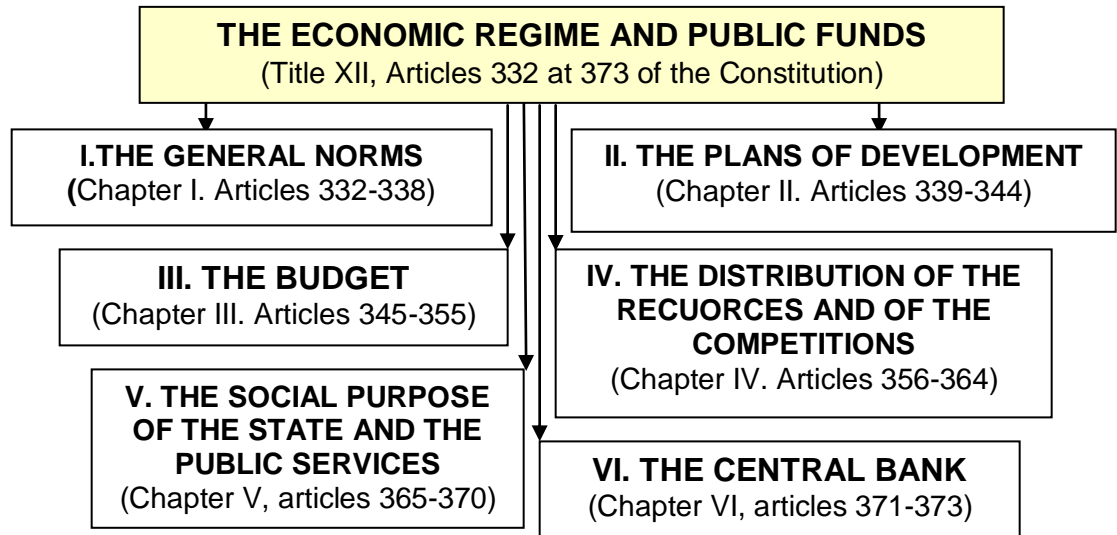
STATE BUDGET: Is formulated annually for the National Government and approved by means of organic law the Congress of the Republic.

SUBSIDIZE IN PUBLIC SERVICES: The Nation, the departments, the districts, the municipalities and the decentralized entities may grant subsidies, in their respective budgets, so that individuals of low income can pay the rates of the domestic public services that cover their basic necessities.

TRIBUTE: It is the gender of the kind: tax, levy fiscal (fiscal or fiscal-type dues) and levy. They constitute once they are established by a law of the Congress, an Ordinance of the Departmental Assembly or a Municipal Agreement, in a juridical, political and economic instrument of obligatory execution for those subject of the tributary imposition and principally for the inhabitants of the Colombian territory that should finance them. In Colombia, tributes exist whose entitlement is exclusive of the Nation or of the Territorial Entities. For example, the Tax to the property is of entitlement of the municipalities (Tax property Unified).

THE INTERVENTION OF THE STATE IN THE ECONOMY: Function state immersed in the form of State of Right that is characterized because the State assumes the general management of the economy and by virtue of her, it will intervene, for legal mandate, in the exploitation of the natural resources, in the use of the land, in the production, distribution, use and consumption of the goods, and in the public services and private, to streamline the economy with the purpose of getting the improvement of the quality of the inhabitants' life, the equal distribution of the opportunities and the benefits of the development and the preservation of a healthy environmental.

IV. THE CONSTITUTIONAL PRECISION: THE ECONOMIC OR FINANCIAL RÉGIME AND THE PUBLIC FUNDS IN COLOMBIA



THE PATRIMONY OF THE COLOMBIAN STATE

(The articles 332 at 338 of the Constitution)

The State is proprietary of the subsoil and of the nonrenewable natural resources without prejudice of the rights acquired and established with arrangement to the prior laws.

I. THE ECONOMIC COMPETITION AND PRIVATE ARE FREE. The economic activity and the private initiative are free, within the limits of the very common one. The enterprise, as base of the development, has a social function that implies obligations. The State will strengthen the cooperative organizations and it will stimulate the business development.

The law will limit the scope of the economic freedom when they demand this way it the social interest, the environment and the cultural patrimony of the Nation.

II. INTERVENTION OF THE STATE IN THE ECONOMIC, FINANCIAL, STOCK EXCHANGE ACTIVITIES AND MONOPOLIES. The State will intervene, by means of the law, in the exploitation of the natural resources, in the use of land, in the production, distribution, use and consumption of the property (or goods), and in the public and private services.

Equally in financial activities, the stock exchange, insurance, and any other activities related to the handling, those are the public interest.

No monopoly may be established except through the free reign of the forces of the marketplace, with the object of public or social interest, and in accordance with the law.

III. REGIONS OF FRONTIER AND ECONOMY The law may establish for the border regions, whether on land or sea, special regulations in economic and social matters tending to promote their development.

IV. THE TAX OR TRIBUTE IN COLOMBIA In peacetime, only the Congress, the departmental assemblies, and districts and Municipal Councils they may impose levy fiscal taxes or fiscal-type dues. The law, the ordinances and the agreements should fix, directly, determine active and passive earnings, the events and bases that are taxable, and the rates of the levies.

THE NATIONAL PLAN OF DEVELOPMENT (NPD)

(The article 339 and 344 of the Constitution)



I. What is the development Plan? There will be a National Plan of Development forming on one part general and a plan of investments of the public entities of the national order.

II. What is it provided in the General Part? In the general part the purposes and national objectives of long term, the goals and priorities of intermediate-term state activities and the strategies and general orientations of the economic, environmental and social policy to be adopted by the government.

III. What does it contain the plan of investments? The plan of public investments will contain the multi-year budgets of the principal programs, strategies, and projects of national public investment and the specification of the required financial resources for its execution.

The plans of the territorial entities will consist of a strategic part and a plan of investments of the intermediate- and short-term.

IV. Who does integrate the National Council of Planning? There will be a National Council of Planning integrated by representatives of the territorial entities and of the economic, social, ecological, community and cultural sectors. The Council will have consultative character and it will serve as forum for the discussion of the National Plan of Development.

V. Which is the passage of the Plan? The Government will elaborate the National Development Plan with the active participation of the planning authorities, the territorial entities, and the Superior Council of the Judicature and will submit the corresponding plan to review by the National Planning Council; after listening is the opinion of the Council it will proceed to effect those amendments that it considers appropriate and will present the plan to Congress within six months following the initiation of the respective presidential term.

VI. Which Organic law of the National Plan of Development is it? The Organic Law will regulate all the related with the elaboration procedures, approval and execution of the development plans and it will prepare the appropriate mechanisms for its harmonization and for the alignment to them of the official budgets.

It will determine, equally, the organization and functions of the National Council of Planning and of the territorial councils, as well as the procedures according to which it will become effective the civic participation in the discussion of the development plans, and the subsequent modifications, in accordance with what is established in the Constitution.

VII. Who does make the planning in the departmental and municipal level?

The departmental planning organs will evaluate the management and performance of the planning, development, and investment programs of the departments and municipalities and will participate in the preparation of the budgets of the latter within the limits stipulated by the law.

In any event the national organism of planning, in a selective manner, may exercise this evaluation on any territorial entity.

THE BUDGET IN COLOMBIA
(The chapter III, articles 345 at 355 of the Constitution)

THE BUDGET

The budget it contain all the revenues and the expenditures of the State

I. Who does formulate the budget? The National Government will formulate the Budget of Revenues and Appropriations Law that it will correspond to the National Plan of Development and it will present it to the Congress, within the first 10 days of each legislature.

II. The Law of appropriations. The Law of appropriations will include all the expenditures which the state plans to implement during the relevant fiscal period.

III. The Budget of repetition. If the Congress does not approve the budget, the one presented by the government will apply according to the preceding article; should the budget not be presented within the deadline, that of the previous year will apply, but the government may reduce expenditures and consequently eliminate or reduce jobs when the calculations of the revenues of the new fiscal year require it.

IV. Which is the step of the Budget? It is government and of character legislative. The procedure is carried out in different stages that include the discussion until the expedition.

V. What does it include the public expenditure? The law of appropriations will have a component denominated social public expenditure that will consolidate the parts dealing with public social expenditure according to the definition made by the respective organic law.

VI. The Modification of the Budget The Congress may to increase none of the sections of the estimated budgetary expenditures proposed by the Government, neither to include a new one, except with the written consent of the appropriate minister.

VII. The Unit Budgetary the Organic law of the Budget will regulate the corresponding to the programming, approval, modification, execution of the budgets of the Nation, of the territorial entities and of the decentralized entities of any administrative level, and its coordination with the National Plan of Development, as well as the capacity of the organisms and state entities to enter contracts.

VIII. The Extensive application or Homogeneity in the system The principles and dispositions of the State budget are applied to the Territorial Entities

IX. The General accountant of the Nation. Is an official of the executive branch, who will be responsible for the general accounting of the Nation and it will consolidate this with that of their entities decentralized territorially or for services, whichever it is the level to the one that belong, except the with respect to the execution of the Budget whose competition is attributed to the office of the Comptroller General.

X. Prohibition of subsidies and Celebration of contracts with entities without animus of profit. None of the branches or organs of government may decree subsidies or grants to individuals or legal entities in the private sector.

THE DISTRIBUTION OF RESOURCES TO THE TERRITORIAL ENTITIES

(The Chapter IV, articles 356 at 364 of the Constitution)



I. THE SITUED OR LOCATED FISCAL. The law, to initiative of the Government, will fix the services in charge of the Nation and of the Departments, Districts, and Municipalities. For effect of assisting the services in charge of these and to provide the resources to finance their benefit appropriately, be believed the General System of Participations of the Departments, Districts and Municipalities. This is system will dedicate specially in service of health and education.

II. THE TRANSFERECIAS TO THE MUNICIPALITIES. The amount of the General System of Participations of the Departments, Districts and Municipalities will be increased annually in a percentage similar to the average of the percentage variation that have had the Average revenues of the Nation during the four (4) earlier year, included years the corresponding to the seating capacity of the budget in execution.

The municipalities classified in the categories fourth, fifth and sixth, of conformity with the effective norms, may dedicate freely, for investment and other inherent expenditures to the operation of the municipal administration, up to a twenty-eight (28%) of the resources that perceive for concept of the General System of Participations of the Departments, Districts and Municipalities, excepting the resources that are dedicated for education and health.

III. THE AVERAGE REVENUES Average revenues are to be understood as those constituted by tax and non tax revenues, with the exception of capital revenues.

IV. THE RENTS OF DESTINATION SPECIFY There won't be national revenues of specific destination. Excepted are the following: 1. The participations (or shares) provided in the Constitution in benefit of the Departments, Districts and Municipalities. 2. Those assigned for social investment. 3. Those that, with base in the earlier laws, the Nation assigns to entities of social forecast and the old Intendancies and Commissaries.

V. THE EXPLOITATION OF RESOURCES NONRENEWABLE NATURAL. The law will determine the conditions for the exploitation of the nonrenewable natural resources as well as the rights of the territorial entities on the same ones.

VI. THE NATIONAL ENDOWMENT FUND. The revenues originating from grants that are not allocated to departments and municipalities, a *Fund* will be created whose resources will be assigned to the territorial entities within the limits stipulated by the law. These funds will be applied to the promotion of mining, the preservation of the environment, and to financing regional projects of investment identified as having priority in the development plans of the respective territorial entities.

VII. THE TRIBUTARY DECENTRALIZATION. The assets and tributary or not tributary revenues originating from the exploitation of monopolies of the territorial entities, they are of their exclusive property and they enjoy the same guarantees as the property and income of individuals.

VIII. THE PRINCIPLES OF THE TAX SYSTEM. Equity, efficiency and progressiveness and non-retroactivity of the law

IX. THE CAPACITY OF PAYMENT. The domestic and foreign indebtedness of the Nation and of the territorial entities may not exceed their payment capacity.

THE SOCIAL PURPOSE OF THE STATE AND DE THE PUBLIC SERVICES

(The chapter V, articles 365 at 370 of the Constitution)



I. THE PUBLIC SERVICES. The public services are inherent to the social purpose of the State. It is duty of the State to assure their efficient provision to all the inhabitants of the national territory.

II. THE SOCIAL PUBLIC EXPENDITURE. The general welfare and the improvement of the quality of the population's life are social purposes of the State. It will be objective fundamental of their activity the solution of the unsatisfied necessities public of health, of education, of environmental reparation and potable water needs.

For this purpose, in the plans and budgets of the Nation and of the territorial entities, the social public expenditure will have priority on any other assignment.

III. THE DOMESTIC PUBLIC SERVICES. The law will fix the competitions and relative responsibilities to the provision of the domestic public services, its covering, quality and financing, and the schedule of rates, which will take into account the following criteria: cost, solidarity, and the redistribution of revenues.

IV. THE SUBSIDIES FOR THE PUBLIC SERVICES. The Nation, the departments, the districts, the municipalities and the decentralized entities may grant subsidies, in their respective budgets, so that individuals of low income can pay the rates of the domestic public services that cover their basic necessities.

V. THE USERS OF THE PUBLIC SERVICES. The law will determine the duties and rights of the users, the régime of its protection and their participation in forms the management and funding of the state enterprises that provide the service.

VI. THE SUPERVISE AND CONTROL OF THE PUBLIC SERVICES. It exercises it the President of the Republic through the Superintendence of Domestic Public services of the entities that provide them

THE CENTRAL BANK

(The chapter VI, articles 371 at 373 of the Constitution)



THE BANK OF THE REPUBLIC

The Bank of the Republic will exercises the functions of Central Bank. It will be organized as person juridical of public law, with administrative, patrimonial and technical autonomy, subject to an own legal régime. This represented one for a Manager.

I. THE EXECUTIVE BOAD OF THE BANK. The executive board of the Bank of the Republic will be the monetary, exchange, and credit authority, in accordance with the functions assigned to it by law. Composed by 7 members presided over by the Ministry of finance.

II. THE PRINCIPAL TENANCE OF THE PURCHASING POWER OF THE CURRENCY. The State, through the Bank of the Republic, will supervise the maintenance of the purchasing power of the currency.

V. THE CONSTITUTIONAL READING: THE CONCEPTUALIZATION OF THE BUDGET

“It is defined the budget as the prospective calculation of public income and expenditures for a concrete period, orderly to the maintenance of the public services and economic and social regulation inside the economic plan of the nation.”

To this conclusion you arrive then to analyze the external characteristics and you intern of the budget. Indeed, “The financial plan doesn't make a mistake with the means (income and expenditures) that it orders and it coordinates in connection with the ends (satisfaction of the public conveniences and economic and social regulation) of the country property. Their function is in fact to coordinate and to order those in connection with these in an action plan. And like it is sought with him to make effective some economic and social goals that he/she notices of according State with the orientation of their fundamental political end certain country and in certain historical period, their outlines appear guided for the practice. It is something realizable, in contact strait with the procedures of the economic life, politics and social. This active linking of the budget with that complex of circumstances that you/they surround it and in reason of their own function, it is the dynamic part that forms the external structure of the budget and it determines their static or internal structure.

Therefore, the financial plan must be a forecast of public income and expenditures for the future thing, of validity neither very short neither very long, not so excessively rigorous that impedes its adaptation to those circumstances and procedures, neither too discretionary, in such form that cannot be controlled, or that it is left to the improvisation.

As classification of capital resources to the ends of the country property, realizable in one period and determined place, the budget supposes the idea of a calculation and forecast of income and expenditures; and that in that calculation and forecast of income and expenditures exists a direct reference to the satisfaction of public conveniences and the economic and social regulation, in attention to certain conditions that they allow it and they justify. Consequently the budget cannot be a simple advance of income and expenditures placed in a mechanical plane, without a direct reference to some concrete objectives.

...such ends and means are those of the country property, being limited the budget to order them, to relate them and to coordinate them in a suitable way. But that appropriate coordination as function of the public financial plan is influenced by the quality and quantity of the elements that it integrates. If in him some revenues and some expenditures must be foreseen regarding a necessities and some concrete situations and these they influence in those, in turn this influence indicates other: the that if the end regulator of the country property implies to link the capital resources with the economic and social procedures, the budget must also be closely related with those procedures. Otherwise, their function would appear limited to a simple internal and static classification. This internal classification depends on another of external character. The forecast of income and expenditures for the future thing, according to the ends of the country property, it must be in consonance with what such factors mean for that advance. And you must sacrifice the rigor in the budgetary calculation in benefit of the strategic realization of the financial policy: the necessities that it must satisfy the State and the economic and social situations that it should regulate by means of certain resources and certain expenditures....” RAMÍREZ, Alejandro, *THE PUBLIC FUNDS* Ed. Temis; Bogotá, 1986, p. 344 and 345.

VI. THE ACTIVITIES OF THE STUDENT

I. Supplement the following propositions:

1. The State is proprietary of the _____

2. The National Plan of Development this forming for _____

3. The Government formulates _____
annually _____
4. The appropriations bill must include _____

5. If the Congress non issue the Budget, _____ will apply

6. Budgetary to the territorial entities, is applied by extension those _____

7. There will be a General Accountant, official of the executive branch, who will be
responsible for _____

8. Any branch of the power neither state organism will be able to decree _____

9. The resources of the general system of participations of the territorial entities will
dedicate to the financing from the services to their position, giving priority to the
services of _____

10. The average revenues are they conform for the _____

11. They are constitutional principles of the system of tax or tributary _____

12. The public services are _____

13. They can grant subsidies in the provision of the public services the _____

14. The Bank of the Republic is a _____

15. The State, through the Bank of the Republic, will supervise _____

II. Mark with an X, the correct answer that corresponds to the following propositions:

1. They are of property of the State

- a) The goods movable and immovable of the individuals
- b) The public goods movable
- c) The subsoil and the nonrenewable natural resources
- d) All the previous ones
- e) None of the previous ones

2. The economic activity and the private initiative are:

- a) supervise and sanctioned by the State
- b) controlled and restricted by the State
- c) free, into the limits of the very common one
- d) All the previous ones
- e) None of the previous ones

3. The State will intervene in:

- a) The exploitation of the natural resources, in the use of the land
- b) In the production, distribution, use and consumption of the goods
- c) In the services public and private
- d) All the previous ones
- e) None of the previous ones

4. The Monopolies of the territorial entities will establish as:

- a) The free reign of the forces of the marketplace
- b) With an object of public interest or social
- c) In accordance with the law
- d) All the previous ones
- e) None of the previous ones

5. The plans of development of the territorial entities are structured for:

- a) A strategic part and a plan of investments of intermediate-term and short term state activities
- b) A strategic part and a plan of investments of long term state activities
- c) A strategic part and a plan of investments of short term state activities
- d) All the previous ones
- e) None of the previous ones

6. Revenues budget and expenditures in Colombia, it is approved by means of

- a) An ordinary law
- b) An organic law
- c) A statutory law
- d) All the previous ones
- e) None of the previous ones

7. The Congress in matter budgetary can

- a) The Congress may eliminate or to reduce parts of the expenditures proposed by the Government
- b) Not to increase none of the sections of the estimated budgetary expenditures proposed by the Government
- c) Neither to include a new one, except with the written consent of the appropriate minister.
- d) All the previous ones
- e) None of the previous ones

8. The Nation and the territorial entities with resources budget them they can:

- a) To use them unlimitedly in operation expenditures
- b) To use them unlimitedly in the private recruiting
- c) To use them in the recruiting with private entities without animus of profit
- d) All the previous ones
- e) None of the previous ones

9. The resources of the general system of participations are applied:

- a) To the departments
- b) To the municipalities
- c) To the Districts
- d) All the previous ones
- e) None of the previous ones

10. In matter budgetary, they are revenues of specific destination:

- a) The participations (or shares) provided in the Constitution in benefit of the Departments, Districts and Municipalities
- b) Those assigned for social investment
- c) Those that, with base in the earlier laws, the Nation assigns to entities of social forecast and the old Intendancies and Commissaries
- d) All the previous ones
- e) None of the previous ones

11. The Public services are inherent to the social purpose of the State, and at the same time:

- a) A duty of the State to assure their efficient provision to all the inhabitants
- b) A right of the State to assure their efficient provision to all the inhabitants
- c) A right and a state duty to assure their efficient provision to all the inhabitants
- d) All the previous ones
- e) None of the previous ones

12. The Public services will provision them directly for:

- a) The municipalities and the departments will fulfillment functions of support and coordination.
- b) The departments
- c) The Nation
- d) All the previous ones
- e) None of the previous ones

13. They apply subsidies for the domiciliary public services:

- a) The Nation and the municipalities
- b) The Nation, the departments, the districts and the municipalities
- c) The Nation, the departments, the districts and the municipalities and the decentralized entities
- d) All the previous ones
- e) None of the previous ones

14. The Bank of the Republic is:

- a) It is a person juridical of public law, with administrative, patrimonial and technical autonomy, subject to an own legal régime
- b) It is a person juridical of private law, with administrative autonomy
- c) It is a person juridical of labor law, with administrative autonomy
- d) All the previous ones
- e) None of the previous ones

15. The Manager of the Bank of the Republic is designated for:

- a) The President of the Republic
- b) The Council of the Bank of the Republic
- c) The Congress of the Republic of the Bank of the Republic
- d) All the previous ones
- e) None of the previous ones

VII. THE ACTIVITIES OF THE STUDENT AND THE PROFESSOR**I. In study symposium he/she examine and express their opinions on the following themes:**

1. The annual budgets of the Nation and the territorial entities finish being applied and being executed, those presented by the President, the Governors and the mayors in their respective jurisdictions, generally for disagreements to the interior the Congress, the Assemblies and the Municipal Councils. In these circumstances, do you believe convenient or inconvenience the titled repetition Budget? Why do you reason?

2. Which are the advantage arguments and disadvantage that it presents the planning in the Municipality, in the Department, in the District and the Nation?
3. The Petroleum is of property of the State to be in the Colombian subsoil. What benefits do we receive the Colombians to have that wealth in our territory?
4. The Domiciliary Public services are a basic necessity for all the inhabitants from Colombia. Do you consider that they should be provision effectively by the Municipality and that they guarantee a worthy life? YES or NOT, why do you reason?
5. Does the bank of the Republic have too much economic and financial power in Colombia? What opinions do you have in this respect?