



RESOLUTION
ON THE ESTABLISHMENT OF A SECTORIAL HEALTH FUND OF THE
CPLP

The Health Ministers of the Community of Portuguese Speaking Countries (CPLP), at their Second Ordinary Meeting in Estoril, on 15 May 2009;

Considering that:

The status of body of the CPLP enjoyed by the Meeting of the Health Ministers of the CPLP, as provided for in paragraph 3 of the Article 8 and paragraph 1 of Article 21 of the Statutes of the CPLP;

The competences specified of the Ministerial Sectorial Meeting of Health, as defined in paragraph 2 and 4 of Article 21 of the Statutes of the CPLP;

The “Resolution on the Elaboration of a Strategic Plan in Health Cooperation of the CPLP (PECS/CPLP)”, approved by the 1st Meeting of the Health Ministers of the CPLP, held at Cidade da Praia, in April 2008;

The approval of the Strategic Plan in Health Cooperation (PECS/CPLP) 2009-2012, by the 2nd Meeting of the Health Ministers of the CPLP, held in Lisbon, on May 2009;

The consensus formed regarding the need to create the conditions, primarily financial, for the effective pursuit of the objectives specified in the PECS/CPLP;

Hereby decide:

To establish a Sectorial Health Fund of the CPLP and approve its Regulation, annexed to the present Resolution.



REGULATION OF THE SECTORIAL HEALTH FUND OF THE COMMUNITY OF PORTUGUESE SPEAKING COUNTRIES (CPLP)

Article 1

(Object)

The object of the current Regulation is the operation of the Sectorial Health Fund of the CPLP, as well as the conditions to attribute financing for the projects established in the Strategic Plan in Health Cooperation (PECS/CPLP).

Article 2

(Definitions)

1. For the purpose of the present Regulation, it is understood as:
 - a) “PECS/CPLP”, the Strategic Plan in Health Cooperation of the Community of the Portuguese Speaking Countries;
 - b) “Fund”, the Sectorial Health Fund of the Community of Portuguese Speaking Countries, devoted exclusively to the financial support for the implementation of projects approved for cooperation in the framework of the PECS/CPLP;
 - c) “Contribution” any financial resource received in the Fund, deriving from the Member States of the CPLP, third-party States, Regional and International Organizations, as well as of public and private entities;
 - d) “Project”, a set of elements and information regarding the objectives of a concrete action, activities to be implemented, necessary contributions, estimated costs and stated periods confirmed on a specific document;
 - e) “Technical Group” consisting of the representatives of the Health Ministries of the Member States, the Technical Advisors of the PECS/CPLP and the Executive Secretariat of the CPLP.

2. Other specific terms have their meaning defined in the context of the article referenced therein.



Article 3

(Nature and Guardianship)

1. The Sectorial Health Fund of the Community of Portuguese Speaking Countries is endowed with administrative and financial autonomy, limited only in the terms of the present Regulation.
2. The Fund consists of contributions proceeding from the Members States of the CPLP, third-party States, International Organizations and their Agencies, as well as public and private entities belonging or not, to the CPLP space.
3. The donors may designate, from among the priority areas defined by the PECS/CPLP, those believed to be preferential for the application of their contributions, in compliance with Article 4 of the present Regulation.
4. Without prejudice of the provisions established in the previous point, the designation of a preferential area for the donor shall not, under any circumstance, limit the use of resources in a non-designated area.
5. The Fund is under the guardianship of the Meeting of the Health Ministers of the CPLP.

Article 4

(Objective of the Fund)

The main objective of the Fund is to finance projects of intra-communitarian cooperation which contribute to achieve the objectives of the CPLP in the health field, guided by the following seven strategic axes:

- a) Creation and Development of a Health Workforce;
- b) Health Information and Communication;



- c) Health Research;
- d) Development of the Productive Complex of Health;
- e) Epidemiologic Vigilance and Monitoring of the Health Situation;
- a) Natural Disasters and Emergencies;
- b) Health Promotion and Protection.

Article 5
(Fund Management)

1. The administrative and financial management of the Fund is the responsibility of the Executive Secretariat of the CPLP, operated under guardianship of the Meeting of the Health Ministers of the CPLP.
2. The reimbursement of contributions and expenditures on behalf of the Fund, as well as other financial flows to or from the Fund, are the responsibility of the Executive Secretariat of the CPLP, in accordance with the provisions of Article 6 of the present Regulation.
3. The Fund revenues shall be deposited in an account, in Euros, under the name “Community of the Portuguese Speaking Countries - Sectorial Health Fund”, at a banking institution recognized by the Portuguese Central Bank.
4. A budget proposal will be presented annually by the Executive Secretariat of the CPLP to finance management related expenditures, which shall not exceed 6% of the total value of the projects intended to be implemented in that year. This budget will be approved by the Technical Health Group of the CPLP that will decide which projects will be mobilized to execute the approved budget.



5. The above indicated retained percentage will be made when the contribution is made and will revert in favour of the Operating Budget of the Executive Secretariat of the CPLP.
6. The Fund shall not contract loans.
7. The fiscal year of the Fund extends from 1 January to 31 December.

Article 6
(Additional Regulation)

The disbursement of financial resources deposited in the Fund will be governed by the normative set that regulates External Cooperation of the CPLP, based upon the documents identified below, in effect since 17 June 2008:

- a) Framework of External Cooperation of the CPLP and the respective operational contents;
- b) Practical guide of Financial Procedures of External Cooperation of the CPLP;
- c) Practical guide of Contractual Procedures of External Cooperation of the CPLP and respective annexes;
- d) Guide of Procedures of the General System of Internal Control of the External Cooperation of the CPLP.

Article 7
(Auditing the Fund)

1. The projects financed by the Fund follow, as provided for in paragraph b) of Article 6 of the present Regulation, the Practical guide of Financial Procedures of External Cooperation of the CPLP, and the auditing procedures shall be those stipulated in Point 8.1.3 of the referred Guide.



2. Without prejudice to the provisions of the previous number, the Meeting of the Health Ministers of the CPLP may mandate the contract of an independent competent auditor, to review the accounts of the Fund, which shall bear the expenses.
3. Within a maximum stated period of 30 days after the reception of the Fund's audit report, the Executive Secretariat of the CPLP shall submit it to the Technical Group for posterior examination and forwarding to the Meeting of the Health Ministers of the CPLP.

Article 8

(Protocols with Donors)

The contributions intended for the Fund, according to paragraph 2 and 3 of Article 3 of the present Regulation, may become object of a Protocol to be entered between the Executive Secretariat of the CPLP and the representatives of the donor entities, in compliance with the provisions of the framework of the External Cooperation of the CPLP.

Article 9

(Follow-up of Financial Management of Projects)

1. The Executive Secretariat of the CPLP shall monitor the projects, in accordance with the provisions established in the Guide of Procedures of the General System of Internal Control of the External Cooperation of the CPLP.
2. The Executive Secretariat of the CPLP, while the responsible entity for the management of the Fund (see Article 5 of the present Regulation), shall submit to the Technical Group, for subsequent presentation to the Meeting of the Health Ministers of the CPLP, a report of material and financial execution of the projects implemented with the support of the Fund.



3. The Executive Secretariat shall release the above referred report to the Meeting the Focal Points of Cooperation of the CPLP.

Article 10

(Interpretation and Application)

1. The resolution of any doubts resulting from the interpretation and application of the present Regulation is the competence of the Meeting of Health Ministers of the CPLP, upon consultation of the Technical Group of the PECS/CPLP.
2. The Meeting of the Health Ministers of the CPLP has the competence to decide on the revision of the present Regulation.

May 2009