

The brazilian Budget triad a tríade orçamentária brasileira

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Resumen: El presente estudio tiene como alcance el análisis de los dispositivos presupuestarios que se incorporan como herramientas de planificación presupuestaria, a saber, el Plan Plurianual, la Ley de Directrices Presupuestarias y la Ley de Presupuesto Anual. Esta investigación busca comprender las características de las leyes de presupuesto federal, contenidas en la Constitución Federal de 1988, así como a través de la doctrina patria. En cuanto a la metodología utilizada, el presente trabajo es una investigación realizada por el método inductivo-deductivo, promovida a través de revisión bibliográfica y documental. La investigación tuvo como objetivo mejorar las ideas sobre el tema propuesto y, por lo tanto, se caracteriza por ser exploratoria. Finalmente, por tratarse de una revisión de la literatura, el estudio en cuestión analizó las principales características de las Leyes de Presupuesto brasileñas, así como su proceso legislativo desde la remisión del Presidente de la República, a través del análisis en la Comisión Conjunta de Presupuesto del Congreso, hasta su aprobación en el Pleno del Congreso Nacional, y posterior sanción por el Presidente de la República.

Palabras claves: Derecho Financiero. Ley de Directrices Presupuestarias. Ley de Presupuesto Anual. Plan Plurianual. presupuesto público.

Abstract: The present study has as its scope the analysis of budgetary devices that are embodied as budget planning tools, namely, the Pluriannual Plan, the Budget Guidelines Law and the Annual Budget Law. The present research seeks to understand the characteristics of federal budget laws, contained in the Federal Constitution of 1988, as well as through the homeland doctrine. Regarding the methodology used, the present work is a research carried out by the inductive-deductive method, promoted through bibliographic and documental review. The research aimed to improve ideas about the proposed theme and, therefore, is characterized by being exploratory. Finally, because it is a literature review, the study in question analyzed the main characteristics of the Brazilian Budget Laws, as well as its legislative process since the referral

by the President of the Republic, through the analysis in the Mixed Budget Committee of the Congress, until its approval in the Plenary of the National Congress, and subsequent sanction by the President of the Republic.

Keywords: Financial Law. Budget Guidelines Law. Annual Budget Law. Multiannual Plan. Public budget.

Abbreviations:

ADCT.	Transitional Constitutional Provisions Acts.
CMO.	Mixed Commission on Plans, Public Budgets and Inspection.
LDO.	Budget Guidelines Law.
LFR.	Fiscal Responsibility Law.
LOA.	Annual Budget Law.
PPA,	Multiannual Plan.
RCL.	Net Current Revenue.

Summary:

- I. Introduction.**
- II. The multiannual plan and its specificities.**
- III. The Budget Guidelines Law.**
- IV. The annual Budget Law.**
- V. The legislative process of Budget Laws.**
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I. INTRODUCTION

The present study has as its scope the analysis of budgetary devices that are embodied as budget planning tools, namely, the Pluriannual Plan, the Budget Guidelines Law and the Annual Budget Law.

The Pluriannual Plan is disciplined in article 165, I and §1 of the Federal Constitution of 1988, being conceived as medium to long-term strategic planning, likewise, it is the Law that determines, in a regionalized way, "the guidelines, objectives and targets of the federal public administration for capital expenditures and others arising therefrom and for those relating to programs of continued duration".

Otherwise, the Budget Guidelines Law, also created by the Federal Constitution of 1988, according to article 165, II and §2, the guidelines, objectives and goals of the federal public administration for capital expenditures and others arising therefrom and to those relating to programs of continuous duration.

Therefore, the annual Budget Law is seen as the public budget itself, in view of article 165, III and §5 of the Federal Constitution of 1988, it covers the fiscal budget, the investment budget and the social security budget.

In terms of public policies, the analysis of the Multiannual Plan, the Budget Guidelines Law and the annual Budget Law, all at the federal level, aims to deepen knowledge about the federal budget cycle, as well as its use with a view to public interest.

Thus, the research in question is relevant, since the analysis of federal budget laws makes it possible to deepen the nuances of the application of public policy guidelines in Brazil.

In that regard, the present research seeks to understand the characteristics of federal budget laws, contained in the Federal Constitution of 1988, as well as through the homeland doctrine.

With regard to the methodology implemented in the present study, it is noted that the object of the study falls within the field of applied social sciences, especially focused on Law. The research aimed to improve ideas about the proposed theme and, therefore, is characterized by being exploratory (GIL, 2002). Thus, this study is characterized as being approximately of a legal-sociological tendency, precisely because it understands the legal phenomenon in the broader social environment regarding the proposed theme, in addition to interpreting the legislation concerning the subject (GUSTIN, 2006).

Regarding the approach, the research can be said to be qualitative because it seeks to understand the characteristics of federal budget laws. Therefore, from the methodological point of view, the research aimed at the inductive-deductive logic, as it carried out inductions from the representations of objects, as well as deductions from existing norms.

As for data collection, the study is characterized as a bibliographic and documentary research. Still, regarding data collection, this work fits as a bibliographic review, whose secondary sources will be obtained from the Federal Constitution, the Codified Laws, the ordinary legislation and the doctrine concerning the proposed theme.

II. THE MULTIANNUAL PLAN AND ITS SPECIFICITIES

The Pluriannual Plan (PPA) or the Pluriannual Plan law is an evolution of the Pluriannual Investment Budget, established in the Federal Constitution of 1967. The PPA is inserted as a budget tool for the implementation of the economic policy promoted by the Executive power.

The PPA, at the federal level, is the programming mechanism that establishes, in a regionalized way, the guidelines, objectives and goals of the Federal Public Administration for capital expenditures and others resulting from them and for those related to programs of continued duration (BRASIL, 1988).

At the point inherent to regionalization, some particularities are observed, essentially related to the criteria and indicators to be adopted for the evaluation of the programmatic content of the PPA. Thus, the need to regionalize the PPA appears in the demand for efforts to be undertaken according to the reality of each macro region of the country (GIACOMONI, 2019).

In this way, the PPA bill highlights the public administrator's long-term objectives, and can be revised, during its term, through insertion, exclusion or

modification of programs. It is noteworthy that, regarding the conceptualization of programs of continuous duration, it is considered as those whose duration does not exceed one financial year (ABRAHAM, 2018).

The Pluriannual Plan's main function is national integration, as well as the orientation of national, regional and sectoral plans and programs, provided for in the constitution, pursuant to article 43 c/c article 165, §4 of the 1988 Federal Constitution. Together with the fiscal budget and the budget of state-owned companies, the PPA aims to reduce inter-regional inequalities, in compliance with article 165, §7 of the 1988 Federal Constitution.

In detail, it is understood as guidelines, the general and strategic precepts to be adopted in the management of resources, on the other hand, the goals are the parameters for achieving the objective, and can be of a quantitative or qualitative nature, depending on the specifics of each case.

In this way, the objectives regarding the PPA represent the purposes to be achieved by the Public Administration in the long term, with a view to achieving the PPA.

According to Harada “capital expenditures, in terms of Financial Law, are those pertinent to investments, financial inversions and capital transfers” (HARADA, 2020). As for Investment Expenses, it appears that these are the appropriations intended for the structuring and implementation of works, as well as those allocated to obtain properties essential for carrying out the aforementioned works, under the terms of Law no. 4,320 (1964).

In this sense, financial investments, under the terms of Law no. 4,320 (1964) are,

appropriations reserved for the purchase of real estate or capital goods already in use, for the acquisition of securities representing the capital of companies or entities of any kind, already constituted, when the operation does not imply an increase in capital, and for the constitution or increase of capital of entities or companies that pursue commercial or financial objectives, including banking or insurance operations.

Otherwise, Capital Transfers are appropriations intended for investments or financial investments made by other entities of Public or Private Law, comprising aid or contributions, as well as funds used for the amortization of public debt (OLIVEIRA, 2010).

It is noteworthy, in short, that the PPA outlines the strategic planning of government programs to be created, so that they must be in line with the PPA. On the other hand, the PPA, as a long-term strategic plan, does not have programs aimed at special operations, such as expenses that do not contribute to the conservation, expansion or improvement of government actions, that is, operations that do not result in a good or service, and do not generate a consideration.

Regarding the investments made by the Public Administration, it is imperative that no investment that exceeds one financial year may be initiated without prior inclusion in the Multi-Year Plan, or in a law that authorizes it, under penalty of criminal liability, as per the provisions of article 167, §1 of the Federal Constitution of 1988.

The Pluriannual Plan is valid for four years, which does not coincide with the term of office of the head of the Executive Power, starting to be in force in the second year of the term of office of the holder of the Executive Power and ending at the end of the first year of the subsequent term, according to article 35, §2, I of the Transitory Constitutional Provisions Acts of the Federal Constitution of 1988.

Regarding procedural aspects, the initiative of the PPA bill is the responsibility of the head of the Executive Power, that is, at the federal level, it is up to the President of the Republic to take the initiative, as well as to be forwarded by him to the National Congress within four years months before the end of the first fiscal year (BRASIL, 1988). The return to the Executive must be made until the end of the second period of the legislative session of the year in which it was sent (BRASIL, 1988).

Finally, according to article 165, §9 of the Federal Constitution of 1988,

§ 9 It is incumbent upon the complementary law:

I - provide for the financial year, validity, deadlines, preparation and organization of the multi-annual plan, the budget guidelines law and the annual budget law;

II - establish rules for financial and asset management of direct and indirect administration, as well as conditions for the institution and operation of funds.

III - provide for criteria for equitable execution, in addition to procedures that will be adopted when there are legal and technical impediments, compliance with payables and limitation of mandatory programming, for the accomplishment of the provisions of §§ 11 and 12 of art. 166.

However, until the present day, the complementary law provided for in the aforementioned paragraph has not been enacted, thus, Law No. Federal Constitution of 1988, until another Complementary Law comes to discipline such norms.

In this sense, article 35, §2 of the ADCT, discipline that,

§ 2 Until the entry into force of the complementary law referred to in art. 165, § 9, I and II, the following rules will be obeyed:

I - the draft multi-annual plan, valid until the end of the first financial year of the subsequent presidential term, will be forwarded up to four months before the end of the first financial year and returned for sanction until the end of the legislative session;

II - the budget guidelines bill will be forwarded up to eight and a half months before the end of the financial year and returned for sanction until the end of the first period of the legislative session;

III - the Union budget bill will be forwarded up to four months before the end of the financial year and returned for sanction until the end of the legislative session.

Thus, budget bills to be submitted to the National Congress must comply with the deadlines set out in article 35, §2 of the Acts on Transitory Constitutional Provisions of the Federal Constitution of 1988, until a Complementary Law replaces it.

III. THE BUDGET GUIDELINES LAW

The Budget Guidelines Law (LDO) is the link between the planning set out in the Pluriannual Plan (PPA) and the operational aspect of the Annual Budget Law (LOA). In addition, the LDO must be in line with the PPA, in such a way that it must not have devices that contradict it.

According to article 165, §2 of the Federal Constitution of 1988, the LDO,

§ 2 The budget guidelines law shall comprise the goals and priorities of the federal public administration, establish fiscal policy guidelines and respective targets, in line with the sustainable trajectory of the public debt, guide the preparation of the annual budget law, provide for changes in legislation tax and will establish the application policy of official funding agencies.

In this sense, in line with the previous paragraph, it can be seen that the LDO will always precede the Annual Budget Law, in order to guide its preparation. As for the validity of the LDO, it is noted that it will remain in force for one year, judging by the need to provide for capital expenditures for the subsequent financial year, as well as directing the drafting of the Annual Budget Law.

It should be noted that the draft Budget Guidelines Law will be forwarded by the head of the Executive branch to the National Congress, up to eight and a half months before the end of the financial year, namely, April 15 (fifteenth), as well as the return must be held until the end of the first period of the legislative session (July 17), pursuant to article 35, §2, II of the Transitory Constitutional Provisions Act of the Federal Constitution of 1988.

Furthermore, according to article 57, §2 of the Federal Constitution of 1988, the legislative session will not be interrupted without the approval of the Budget Guidelines Law project, so, until the approval of the LDO project occurs, the National Congress will not will go into recess.

In addition to the determinations contained in article 165, §2 of the Federal Constitution of 1988, the LDO designates the deadlines for submission, as well as the limits of budget proposals by the Executive, Legislative and Judiciary. Likewise, the LDO will establish the limits of the budget plans of the Public Ministry, the Federal, State and Federal District Defenders, in accordance with article 127, §3 and article 134, §§ 2 and 3 of the Federal Constitution of 1988.

The LDO is, in a way, a prior planning, based on social and economic reflections, with a view to the subsequent elaboration of the budget proposal of the Executive, Legislative and Judiciary.

In another tune, Complementary Law nº 101/00, known as the Fiscal Responsibility Law (LRF), in its article 4, I, emphasizes that the LDO, in addition, will present,

Art. 4 The budget guidelines law shall comply with the provisions of § 2 of art. 165 of the Constitution and:

I - will also provide for:

- a) balance between income and expenses;
- b) criteria and form of commitment limitation, to be carried out in the cases provided for in subparagraph b of item II of this article, in art. 9 and in item II of § 1 of art. 31;

e) rules relating to cost control and the evaluation of the results of programs financed with budget resources;

f) other conditions and requirements for the transfer of resources to public and private entities;

§ 1 The budget guidelines bill will be part of the Tax Goals Annex, in which annual goals will be established, in current and constant values, related to revenues, expenses, nominal and primary results and amount of public debt, for the year to which refer and for the next two.

As for the additional provisions listed by the LRF, especially in article 4, I and subparagraphs, there is the regulation of the commitment limits to be observed in relation to the contingency of expenses. Contingency is a mechanism used when fiscal targets are not met for the financial year in a four-month period.

Another important determination added by the LRF is the creation of norms referring to the control of costs and the evaluation of the results of the budget programs, such norms are of paramount importance for the concreteness of an effective system of public budget planning, given the possibility of establishing of norms for evaluating the achievement of goals (CONTI, 2020).

The LDO must also present the fiscal targets annex, the fiscal risks annex and the annex of the objectives of the Monetary, Credit and Exchange Policies, the last annex being produced only in the federal LDO project, according to the express provision of the LRF.

The fiscal targets are estimated numbers for the financial year and which, after their approval by the Legislative Power, serve as a standard for the production and implementation of the budget.

The purpose of the fiscal targets annex is to establish the annual targets, in current and constant values, related to revenues, expenditures, nominal and primary results and the amount of public debt, for the year to which they refer and for the following two, according to the article 4, §1 of the LRF.

The primary result includes only primary revenues and expenditures, also called non-financial. This result is equivalent to the difference between the revenue collected and the expenses committed, except for the payment of principal and interest on the debt, as well as financial income (OLIVEIRA, 2010).

The nominal result is more extensive, as it refers to the difference between all the income calculated and the expenses committed, covering the payments of the principal and interest installments of the debt, as well as the financial income achieved, the effects of inflation and of the exchange rate variation.

In this vein, the annex of fiscal goals, in compliance with article 4, §2 of the LRF, will contain,

- I - evaluation of the accomplishment of the goals related to the previous year;
- II - statement of annual goals, with a memory and calculation methodology that justify the intended results, comparing them with those established in the three previous years, and evidencing their consistency with the premises and objectives of the national economic policy;
- III - evolution of shareholders' equity, also in the last three years, highlighting the origin and application of funds obtained from the sale of assets;
- IV - assessment of the financial and actuarial situation:
 - a) the general social security regimes and specific to public servants and the Worker Support Fund;
 - b) other public funds and state programs of an actuarial nature;
- V - statement of the estimate and compensation of the waiver of revenue and the expansion margin of mandatory expenses of a continuing nature.

Furthermore, in the tax risk annex, contingent liabilities and other risks capable of affecting public accounts will be evaluated, informing the measures to be taken, if they materialize, in compliance with article 4, §3 of the LRF.

Contingent liabilities can be defined as debts whose existence depends on unforeseeable factors, such as ongoing legal proceedings and debts in the process of being recognized.

On the other hand, fiscal risks are subdivided into budgetary risks and debt fiscal risks, the first being related to the possibility of revenues and expenses projected in the preparation of the the financial year. As for the fiscal risks of the debt, its relation to the fluctuations annual budget bill not being confirmed during of macroeconomic variables is asserted (OLIVEIRA, 2010).

Finally, the annex to the objectives of the Monetary, Credit and Exchange Policies, which will cover “the parameters and projections for their main aggregates and variables, as well as the inflation targets, for the subsequent year”, such as: the objectives set out to the achievement of the inflation target by the National Monetary Council; the preservation of favorable conditions, with the purpose of allowing the expansion of the credit market to take place in a scenario that maintains the stability of the national financial system, as well as the maintenance of a floating exchange rate (OLIVEIRA, 2010).

IV. THE ANNUAL BUDGET LAW

The Annual Budget Law (LOA) establishes the forecast of revenue and the authorization of expenses, for the financial year subsequent to its elaboration. The LOA is the budget itself, so it is seen as the operational part of the budget laws.

In this sense, the LOA enables the execution of the PPA and the LDO, so that the LOA project will cover all revenues and expenses of the Executive, Legislative and Judiciary, as well as their bodies, funds and entity of the Direct and Indirect Public Administration (ABRAHAM, 2018).

Therefore, the LOA will only cover matters inherent to the forecast of revenues and the establishment of expenses, except for authorizations for supplementary credits and credit operations, including in anticipation of budget revenue, pursuant to article 165, §8 of the Federal Constitution of 1988, such provision is what the doctrine states as the principle of exclusivity.

It should be noted that the Annual Budget Law project must be forwarded to the Legislature four months before the end of the financial year (August 31), and returned to the Executive by the end of the legislative session (December 22) of the exercise of its elaboration, pursuant to article 35, §2, II of the Transitory Constitutional Provisions Acts of the Federal Constitution of 1988.

In addition, if the National Congress does not receive the proposal for an Annual Budget Law within the period established in the Constitution, the Legislative Branch will consider the current Budget Law as a proposal, in compliance with article 32 of Law No. 4,320/64.

In this vein, the LOA project will provide for the fiscal budget, social security budget and the investment budget of state-owned companies, according to article 165, §5 of the 1988 Federal Constitution.

The fiscal budget is composed of all revenues and expenses of the three branches, as well as their bodies, funds and entities of the Direct and Indirect Public Administration, including foundations instituted and maintained by the Public Power.

Thus, regarding the aforementioned foundations, the fiscal budget deals with dependent state-owned companies, conceptualized as those that receive from the controlling entity, financial resources for the payment of personnel expenses or general or capital costs, excluding, in the latter case, those from increase in shareholding, in accordance with article 165, §5, I of the Federal Constitution of 1988 and article 2, III of the LRF.

According to the investment budget of state-owned companies, Ricardo Lobo Torres argues that this is intended to make transfers of tax resources unfeasible, as well as inflationary entries, with the intention of meeting the incompetence of Union companies (TORRES, 2010).

Otherwise, the social security budget is made up of entities in charge of carrying out acts in the area of health, social security, and social assistance, contained in the direct or indirect administration, as well as funds and foundations instituted and maintained by the Public Power, whereas social security is related to the activities of the State, in which they ensure the rights related to health, social security and social assistance, according to article 194 of the Federal Constitution of 1988.

Likewise, the social security budget proposal will be produced by all the bodies responsible for health, social security and social assistance, in an integrated way, meeting the goals and priorities of the LDO, safeguarding each area, the management of its resources, pursuant to article 195, §2 of the Federal Constitution of 1988.

It should be noted that according to article 165, §6 of the Federal Constitution of 1988, the Annual Budget Law project will be provided with a regionalized statement of the effect, on income and expenses, resulting from exemptions, amnesties, remissions, subsidies and benefits of a financial, tax and credit.

Furthermore, the fiscal and investment budgets of state-owned companies had the function of alleviating inter-regional inequalities, meeting population criteria, in accordance with article 165, §7 of the 1988 Federal Constitution.

Article 2, §1 of Law No. 4,320/64 regulates that the LOA project must present,

§ 1 The following will be part of the Budget Law:

I - General summary of revenue by sources and expenditure by government functions;

II - Income and Expense statement table according to Economic Categories, in the form of Annex No. 1;

III - Discriminating table of revenue by sources and respective legislation;

IV - Table of allocations by Government and Administration bodies.

On the other hand, according to article 5 and items of the LRF, the draft Annual Budget Law will contain: the statement of the budget's compatibility with the objectives and goals defined in the LDO's Tax Goals Annex, attached; the regionalized statement of the effect, on revenues and expenses, resulting from the

granting of financial, tax and credit incentives, as well as the compensation measures for revenue waivers and the increase in mandatory expenses of a continuous nature; the contingency reserve, percentage of Current Net Revenue (RCL) destined to meet contingent liabilities and other unforeseen expenses.

Furthermore, according to the dictates of article 5, §1 to §5 of the LRF, the LOA will observe the following rules,

§ 1. All expenses related to public debt, securities or contractual, and the revenues that will meet them, will be included in the annual budget law.

§ 2 The refinancing of the public debt will appear separately in the budgetary law and in the additional credit laws.

§ 3 The monetary restatement of the principal of the refinanced securities debt cannot exceed the variation of the price index provided for in the budgetary guidelines law, or in specific legislation.

§ 4 It is forbidden to include in the budget law credit with imprecise purpose or with unlimited allocation.

§ 5 The budget law shall not consign an investment endowment lasting longer than one financial year that is not provided for in the pluriannual plan or in a law that authorizes its inclusion, as provided for in § 1 of art. 167 of the Constitution.

It is noteworthy that the provisions of article 5, §5 of the LRF reinforce the provisions of article 167, §1 of the Federal Constitution of 1988, which determines,

No investment whose execution exceeds one financial year may be initiated without prior inclusion in the pluriannual plan, or without a law authorizing the inclusion, under penalty of criminal liability.

V. THE LEGISLATIVE PROCESS OF BUDGET LAWS

Initially, article 165 of the Federal Constitution of 1988 governs that proposals for Budget Laws will be prepared by the Executive Branch.

In this sense, the draft Budget Laws are the initiative of the head of the executive branch, at the federal level, the President of the Republic is responsible for sending the Pluriannual Plan projects, the Budget Guidelines Law and the annual Budget Law to the National Congress, pursuant to article 84, XXIII of the Federal Constitution of 1988.

In addition, the Judiciary and the Public Ministry submitted their budget proposals together with the other powers, within the limits set forth in the LDO,

according to article 99, §1° with article 127, §3° of the Federal Constitution of 1988.

In this follow-up, the Budget Law proposals will be unified and forwarded to the Legislative Power, as well as will be accompanied by a message from the Chief Executive, containing a detailed exposition of the economic and financial situation, documented with a demonstration of the funded and floating debt, balances of special credits, balances payable and other payable financial commitments; exposition and justification of the Government's economic-financial policy; justification of revenue and expenditure, particularly with regard to the capital budget, regarding article 22 of Law No. 4,320/64.

Otherwise, if the head of the Executive Branch intends to suggest changes in the proposed Budget Laws, he may only be able to vote, in the Mixed Commission, for the part related to the proposed change, under the terms of article 166, §5 of the Federal Constitution of 1988.

Draft Budget Laws must be considered by a Permanent Commission, composed of Senators and Deputies, in compliance with article 166, §1 of the Federal Constitution of 1988, in which it will be responsible for,

§ 1° A permanent mixed Committee of Senators and Deputies shall:

I - examine and issue an opinion on the projects referred to in this article and on the accounts presented annually by the President of the Republic;

II - examine and issue an opinion on the national, regional and sectoral plans and programs provided for in this Constitution and exercise budget monitoring and inspection, without prejudice to the performance of the other committees of the National Congress and its Houses, created in accordance with art. 58.

In the Mixed Commission, (called the Mixed Commission of Plans, Public Budgets and Inspection - CMO by Resolution No. 01/06), the Budget Laws projects may be amended by deliberation of the Plenary of the two Houses of the National Congress, according to article 166, § 2 of the Federal Constitution of 1988. Regarding the amendments considered by the Mixed Commission, in order for their approval to take place, the requirements set out in article 166, §3 of the Federal Constitution of 1988, which are,

§ 3 Amendments to the annual budget bill or projects that modify it can only be approved if:

I - are compatible with the pluriannual plan and with the budget guidelines law;

II - indicate the necessary resources, admitted only those arising from the cancellation of expenses, excluding those that affect:

- a) appropriations for personnel and their charges;
- b) debt service;
- c) constitutional tax transfers to States, Municipalities and the Federal District; or

III - are related:

- a) with the correction of errors or omissions; or
- b) with the provisions of the text of the bill.

Parliamentary amendments are classified as: individual amendments, when proposed individually by a parliamentarian; collective amendments, when proposed by the state benches in the National Congress regarding matters of interest to the state or the Federal District; Rapporteur's amendments, used to correct technical or legal errors and omissions, to recompose, in whole or in part, canceled appropriations, limited to the recomposition to the amount originally proposed in the project and to meet the specifications of the Preliminary Opinions, under the terms of articles 46, 49 and 144 of Resolution No. 01/06 of the National Congress.

Likewise, amendments will also be classified as: amendments to revenue, characterized by the purpose of changing the estimate of revenue; amendments to the expenditure, specified as a reallocation (proposition of additions or inclusions of appropriations, with the equivalent cancellation of other appropriations), appropriation (proposition of addition or inclusions of appropriations, with cancellations derived from resources that are part of the Resource Reserve and other defined appropriations in the Preliminary Opinion) and cancellation (concerning the reduction of project appropriations); amendment to the text, being the additive, modifying and suppressive, in attention to articles 31, 37, 38 c/c article 39, I and II c/c article 40 of Resolution nº 01/06 of the National Congress.

After the issuance of the Opinion by the CMO, the Budget Law projects will be forwarded for deliberation by the Plenary of the National Congress, after approval, the project will be sent to the President of the Republic for sanction and its publication in the Official Gazette of the Union, according to 66 of the Federal Constitution of 1988.

However, if by chance the President of the Republic vetoes the budget bill, in whole or in part, it will be returned to the National Congress, within fifteen working days, accompanied by the reasons for the veto, after the period has elapsed without the President of the Republic, the bill will be sanctioned tacitly, under the terms of article 66, §1 and § 2 of the Federal Constitution of 1988.

Finally, the veto will be considered by the National Congress, in a joint session, within thirty working days, counting from the date of receipt of the veto, if the veto is not maintained, the project will be forwarded to the President of the Republic, for subsequent sanction, however, if the President of the Republic does not enact the law, it may be enacted by the President of the Senate, pursuant to article 66, §4 to §7 of the Federal Constitution of 1988.

VI. FINAL CONSIDERATIONS

The present study was conceived with the objective of analyzing the budgetary devices that are embodied as budget planning tools, namely, the Pluriannual Plan, the Budget Guidelines Law and the Annual Budget Law.

In the first chapter, the object of the present research was presented, as well as the methodology used to obtain the improvement concerning the studied topic.

The second chapter was concerned with detailing the Pluriannual Plan, specifically at the federal level, through its origin, the concept explored by the doctrine, as well as its technicalities.

The third chapter addressed the Budget Guidelines Law, discussing its characteristics, its integrating role between the Multiannual Plan and the Annual Budget Law; its guidelines at the constitutional level and relating to the Fiscal Responsibility Law; its validity and its delivery period.

The fourth chapter detailed the Annual Budget Law, understood as the budget par excellence, exposing its characteristics, its applicability, its validity and its submission deadline.

Finally, the fifth chapter examined the legislative process of the budget bills, passing through the constitutional dictates, the analysis of the Mixed Budgetary Commission of the National Congress, its deliberation and approval by the National Congress, until the sanction of the President of the Republic.

Therefore, after an in-depth analysis, the present research successfully met its main objective, which is to understand the characteristics of the federal budget laws, contained in the Federal Constitution of 1988, as well as through the homeland doctrine.

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