



## TERMS OF REFERENCE

<b>Job title:</b>	<b>National Consultant/Trainer on ex-post impact assessment of legislation</b>
<b>Duty station:</b>	Chisinau, Moldova
<b>Reference to the project:</b>	"Improving the quality of Moldovan democracy through parliamentary and electoral support"
<b>Contract type:</b>	Individual Contract
<b>Expected workload:</b>	20 working days
<b>Starting date:</b>	November, 2014

### Objective of the assignment:

The expected output for the national consultant's assignment is to provide training, professional advice and coaching on ex-post impact assessment of legislation to the staff from the Legal Department and from standing committees of the Parliament of Moldova.

### Background:

A systematic analytical approach is essential to the development of high-quality regulation. That is why since 2008 the Moldovan Parliament made the Regulatory Impact Assessment (RIA) mandatory for all the regulations related to entrepreneurial activity, protecting entrepreneurs' interests and rights and reducing the impact of regulation on business.

There are, however, many questions about how to design and apply RIA so that it is effective at improving regulatory decisions taken within complex administrative processes. The Government is overall responsible for overseeing regulatory analysis and in providing quality control. But an efficient and constructive oversight through parliamentary committees is obviously needed. More than that, the Parliament has an important role as regards ex-ante (bills submitted to and discussed by Parliament) and ex-post (assessment of acts and their enforcement) RIA. Thereby, building the capacities of parliamentary staffers to make a Regulatory Impact Assessment will contribute to a more effective enforcement of legislation.

In 2013 the UNDP Democracy Programme/Parliament provided trainings to the Members of Parliament and parliamentary staff on RIA (ex-ante). In order to further improve the knowledge of parliamentary staff on RIA, the project is planning to provide a Training Program for parliamentary staff on ex-post impact assessment of legislation.

### Scope of work and expected output:

The expected output for the national consultant's assignment is to design and deliver a two-day training program on the principles, methods and mechanisms of the ex-post impact assessment of legislation to the staff from the Legal Department (Group 1) and from standing committees (Group 2) of the Parliament of Moldova.

To achieve the stated objectives, the national consultant will be responsible to:

- Conduct a desk review of the existing legal framework, policies and regulations related to the roles and responsibilities of the Parliament and RIA principles and practices applied in Moldova;
- Provide a two-day training program on the principles, methods and mechanisms of the ex-post impact assessment of legislation;
- Develop the concept of the training and the teaching aids (including agenda, working methods and procedures, hand-out materials evaluation form);
- Provide presentations to the participants on:
  - Ex-post RIA – what it is and its objectives.
  - The benefits and challenges of ex-post RIA.
  - The differing stakeholder roles in the RIA process.
  - RIA implementation in Moldova. The role of Parliament.
  - Developing policies and regulations – where ex-post RIA fits.
  - The RIA process – ex-ante and ex-post (differences between those two).
  - RIA specific case studies applied for ex-post RIA.
  - Preparing for ex-post RIA exercise – participants' exercise.
  - Implementing RIA – stakeholder engagement and communication.
- Have an interactive discussion with participants. Present different case studies;
- Formulate and submit to the Project the final report on the training.

### Deliverables and Timeframe:

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|---|-----------------------|
| 1. Training program and Handouts developed  | 31 October, 2014      |
| 2. Two-day training program on the principles, methods and mechanisms of the ex-post impact assessment of legislation to the staff from Legal Department provided (Group 1 max 15 participants)               | 3-4 November, 2014*   |
| 3. Two-day training program on the principles, methods and mechanisms of the ex-post impact assessment of legislation to the consultants from parliamentary committees provided (Group 2 max 15 participants) | 10-11 November, 2014* |
| 4. A training evaluation report developed   | 14 November, 2014     |

\*) The dates for providing trainings will be finally confirmed after the consultations with the Moldovan Parliament.

All communications and documentation related to design and delivery of training will be in Romanian. Training will be coordinated with UNDP Project Team and will be adjusted to Parliament's needs. The selected consultant will apply the "learning-by-doing" method employing the interactive style of training, including case studies.

The training will be implemented through a range of activities such as presentations, demonstrations, small group work, individual and group projects and assignments and self-paced work with teacher guidance.

Note: The consultant will not be responsible for the logistical organisation of the training and for the associated costs (training facility and equipment rental).

### **Time frame and Institutional arrangements:**

The timeframe for this assignment is planned for November, 2014. The Parliament will provide consultant with working space, access to Internet, a printer and a telephone line.

### **Management Arrangements:**

The national consultant will work under the guidance of UNDP and Parliament for substantive aspects of the assignment, and under the direct supervision of the Project Manager for administrative and financial aspects.

### **Financial arrangements:**

Each candidate will be required to submit an aggregated financial offer ("aggregated financial offer" is the total sum of all financial claims of the candidate for accomplishment of the task), which includes proposed consultancy fee and travel costs. Payment will be disbursed in two instalments upon submission and approval of deliverables and certification by the Project Manager that the services have been satisfactorily performed.

No travel missions are envisaged under present assignment.

### **Qualifications and skills required:**

#### Qualifications:

- Master's degree in Law, Public or Business Administration and other related field;

#### Experience and knowledge:

- A minimum of 5 years of relevant professional experience in designing and conducting training courses on RIA or other relevant issues;
- Experience in the development and/or implementation of RIA;
- Knowledge of Moldovan legal framework related to RIA;
- Experience in working with Parliament, Government and/or international organizations (successful experience in working with UN agencies is an asset);

#### Competencies:

- Strong analytical and drafting skills;
- Ability to analyse, plan, communicate effectively orally and in writing, draft report, organize and meet expected results, adapt to different environments (cultural, economic, political and social);
- Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with all stakeholders and to present ideas clearly and effectively;
- Fluency in Romanian. Knowledge of English or Russian will be an asset;
- Computer literacy and ability to effectively use office technology equipment, IT tools.

**Documents to be included when submitting the proposals:**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. Proposal: explaining why they are the most suitable for the work including past experience in similar Projects (please provide brief information on each of the above qualifications, item by item);
2. Financial proposal (in USD, specifying a total requested amount per day, including all related costs, e.g. fees, per diems, travel costs, phone calls etc. );
3. Fully completed and signed P11 Form, personal CV and at least 3 references.