



TERMS OF REFERENCE

Job Title:	National Consultant to support the Ministry of Economy in elaboration of the National Consumer Policy Strategy for 2013-2020
Duty station:	Chisinau, Moldova
Reference to the project:	"Transitional Capacity Support for the Public Administration of Moldova"
Contract type:	Individual Contract (IC)
Starting date:	July, 2012
Duration the assignment:	6 months

Job content

I. Background:

Transitional Capacity Support project was designed upon the request of the Government of Moldova to enhance the capacities of the Moldovan ministries and other national level institutions in order to accelerate the reform processes in the context of Moldova's EU integration agenda, as described in the Governmental Programme „European Integration: Freedom, Democracy, Welfare”, and other country's strategic documents as is the „National Development Strategy” and, in the future period „Moldova 2020”. The project seeks to address urgent short-term capacity needs of the public administration at a time when Moldovan central government institutions face serious gaps in terms of capabilities, financial and human resources, while important processes, prompted by the negotiation of the new Association Agreement with the EU and other on-going reforms, require strong and prompt inputs on behalf of Moldovan administration. The Project is coordinated and managed by the United Nations Development Programme (UNDP) and the State Chancellery of Moldova. One way to achieve TCS objectives lies in the hiring of national short or medium-term consultants, to support the implementation of some specific reform tasks. The Moldovan diaspora and the local non-governmental sector, including the private and civil society sectors, are seen as the main source for such consultants.

They would not be expected to become permanent staff of the civil service, but based on a competitive process, would be hired for a defined period. Capacity building consultants (CBC) would be engaged and their ToRs defined in a way that would protect the integrity of the civil service work to strengthen its intrinsic capacity. One of the main goals of the TCS project is the transfer of knowledge from consultants to civil servants. In this respect the engaged consultant will provide advice, coaching and skills transfer to the civil service on a permanent basis. Also, the involvement of officials of the beneficiary institutions in monitoring process of the consultant will facilitate direct interchange of knowledge and will ensure closer cooperation between officials of the Ministry and the expert engaged.

Consumer policy is becoming more important nowadays. Markets that respond more efficiently to consumer demands will perform better, at the same time the sophistication of retail markets is increasing the role of consumers. Services are set to grow, as electricity, gas, post and telecommunications liberalisation develops further, e-commerce has great potential to improve consumer welfare, by making a greater range of products available. All these changes bring significant new developments for consumers, business and consumer protection, that challenge traditional modes of regulation, self regulation and enforcement. Globalisation of production will also continue, leading to ever more goods consumed being imported, this in turn, increases the challenge, but also the need to ensure effective market surveillance.

In Moldova the commencement of consumer protection law and policy has been a relatively recent occurrence. Nonetheless, Moldovan legislation in the field of consumer protection is fairly structured. Especially, recent years have witnessed many changes resulting from economic, social and political developments. This change process has included the consumer protection area, in particular with respect to legal issues. Nevertheless, it is necessary to take further actions, both as regards the implementation of legislation and in the enforcement area.

The Government's Activity Program: „European Integration: Freedom, Democracy, Welfare” which lays out the framework of Moldovan Government policies for the period of 2011-2014, stipulates clearly the main priorities in the consumer protection field, including the development of a legal framework by transposing the EU acquis (in particular the European Commission's "Consumer Policy Strategy for 2007-2013") into the national law.

The "National Strategy for Consumers in the Republic of Moldova for 2008-2012" recognises that one of the current development priorities is the enhancement of the level of consumer protection in parallel with the maintenance of existing consumers' rights under the legislation currently in force. A new National Consumer Policy Strategy is to be developed for the period 2013-2020.

In this context, the Ministry of Economy (MoE), who has the key responsibility for the elaboration of such a Strategy, has requested the support of a National Consultant to assist with the Strategy development process, based on existing EC policies and standards, in particular EC's Consumer Policy Strategy.

II. OBJECTIVE OF THE ASSIGNMENT

The main objective of this consultancy assignment is to strengthen the capacities of the MoE in the process of elaboration of the National Consumer Policy Strategy for 2013-2020 in line with the existing acquis communautaire by providing technical assistance, guidance and day-to-day transfer of knowledge to the MoE staff.

III. ORGANISATIONAL SETTING

The National Consultant will work under the overall guidance and management of the Head of Consumer Protection and Market Surveillance Department of the Ministry of Economy and in coordination with the Department for Policy, Strategic Planning and External Assistance of the State Chancellery. The National Consultant will be under direct supervision of the UNDP Program Officer/Consultancy Coordinator for administrative and authorization aspects. The Consultant will be paid on a monthly basis upon presentation of the activity report, as required, on his/her activities, progress and findings on a regular basis. Availability to work full time on the employer's premises will be considered an advantage.

IV. SCOPE OF THE WORK AND EXPECTED OUTPUTS

The scope of the activity of the National Consultant is to assess the current situation in consumer protection field, including the results of the implementation of the previous National Consumer

Strategy, to analyze existing problems, identify potential solutions and assist with the process of elaboration of the National Consumer Policy Strategy for 2013-2020. This will be achieved through analytical support, technical assistance, and continuous transfer of knowledge.

In order to achieve the stated objectives, the National Consultant will have the following **responsibilities**:

- Coordination of a Joint Working Group at the Ministry which will provide support and guidance in the process of elaboration of a comprehensive sectorial analysis, based on the previous assessments and policy documents;
- Evaluation of the existing situation in the field of consumers protection, including analysis of the implementation of the National Consumer Policy Strategy for 2008 – 2012 and identification of lessons learned and recommendations for the future;
- Elaboration of a Regulatory Impact Assessment (RIA) on entrepreneurial activity;
- Elaboration of the RIA on the draft Government decision regarding the approval of the new National Consumer Policy Strategy;
- Elaboration of a Feasibility Report ;
- Support to the process of elaboration of the Draft National Consumer Policy Strategy for 2013-2020, in consultation with civil society, donor community and other relevant stakeholders;
- Support to the elaboration of the Action Plan underpinning the implementation the National Consumer Policy Strategy for 2013-2020;
- Support to the elaboration of the cost assessment of proposed activities;
- Provision of continuous transfer of experience and organizing capacity building sessions;
- Monthly progress reports of the component activities;
- Provision of any other related assistance that may emerge during the assignment.

V. DELIVERABLES

Nr.	Deliverables	Timetable/Deadlines
1.	Joint working group and operational regular meetings organized;	July, 2012
2.	Assessment of the existing situation in field of consumers protection;	July – August, 2012
3.	RIA on entrepreneurial activity;	August – September, 2012
4.	RIA on Draft Government decision regarding approval the new National Consumer Policy Strategy for 2013-2020;	September – October, 2012
5.	Feasibility Report;	September, 2012
6.	Contacts with potential donors, meeting with stakeholders, round tables with civil society;	August-October, 2012
7.	Draft National Consumer Policy Strategy for period 2013-2020;	October, 2012
8.	Draft Action Plan of implementation of the National Consumer Policy;	November, 2012
9.	Costs assessment Report on proposed activities;	December, 2012

10.	Training sessions on issues linked to the Strategy elaboration process;	November – December 2012
11.	Monthly progress reports of the component activities	Monthly
12.	Final progress report	January, 2013

VI. QUALIFICATIONS AND SKILLS REQUIRED

- University degree in Economics, Law, Public Administration or other related field;
- Relevant working experience in the area of policy elaboration, impact analysis, strategic policy elaboration or other related field. Experience in working with Governmental institutions would be considered an advantage;
- Experience in elaboration of economic strategic documents/policies, related to EU and/or national consumer protection field;
- Knowledge in drafting technical documentations and normative acts, reports, qualitative and quantitative policy elaboration, including impact analysis;
- Competencies in consulting, research, cost effectiveness analysis;
- Fluency in Romanian and English (Knowledge of Russian will be an asset);
- Computer proficiency, including knowledge of MS Office products (Word, Excel, Power Point).

VII. 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 month, including all related costs, e.g. fees, phone calls etc.);
3. Personal CV.
4. P11

Please notice that in line with TCS Project rules, which guard against substracting capacity from the civil service, current civil servants are barred from applying for this position. The former civil servants are eligible to apply not earlier than in a year after the separation from civil service.