



USAID Business Enabling Project in Serbia JOB DESCRIPTION AND STATEMENT OF WORK

Position: Inspection Oversight Legal Specialist

Employer: Cardno Emerging Markets USA Ltd., Washington DC, Belgrade Representative Office

Component 1: Business Regulation and Economic Governance

Location: Serbia, Belgrade

I. SCOPE OF WORK

About the Project

USAID Business Enabling Project (“USAID BEP” / “the Project”), implemented by Cardno Emerging Markets USA Ltd. and partners, is a seven year initiative launched in January 2011. The purpose of the Project is to help the Government of Serbia improve the competitiveness of the Serbian economy, its macroeconomic position and its private sector businesses. The Project provides technical assistance, training, and other support to improve the business enabling environment, macroeconomic stability, and further develop financial markets. The Project is demand driven: all activities are based on the priorities of the private sector and Government.

USAID BEP Component 1, Business Regulation and Economic Governance, streamlines laws, regulations, and institutions to improve regulators’ capacity to implement laws and improve analysis and public-private dialogue. The Project’s approach to achieving reforms is to help the Government work closely with the private sector and outside experts to make reforms that improve business competitiveness. The Project provides technical assistance to improve construction permitting, inspection oversight, and other legal, regulatory and institutional reforms.

Background to SOW

In order to meet numerous and complex requirements of creation of business-friendly regulatory and institutional frameworks in the of inspection oversight, USAID BEP seeks the assistance of Inspections Oversight Legal Specialists. USAID BEP has worked with the Ministry of Public Administration and Local Self-Government (“MoPALSg”) and the Government of the Republic of Serbia (GoS) in developing a new inspection oversight framework that is harmonized with good international practices and modern inspection standards. The Law on Inspection Oversight was enacted on April 15, 2015, and published in the Official Gazette of the Republic of Serbia No. 36/2015. The Law entered into full force on April 30, 2016. The MoPALSg, with USAID BEP support, has prepared an Implementation Plan for this Law to address the likely challenges in implementing this piece of legislation. Implementation involves a large number of inspection bodies and inspections that have to implement new concepts and procedures. It includes a number of implementing activities structured within five measures: 1.

Development and adoption of by-laws and documents for implementation, and informing public on Law novelties; 2. Establishing coordination mechanism and building capacities of the Coordination Commission; 3. Establishment and maintenance of e-Inspections system; 4. Establishing a system of training, continuous improvement of knowledge and skills and professional promotion of inspectors; 5. Providing technical and communication infrastructure, equipment and working conditions for inspections. After the Law passed the Parliament, USAID BEP in cooperation with the MoPALSOG, regional chambers of commerce, administrative districts, business and professional associations, and other stakeholders conducted a number of the events aimed at presenting the Law's features. The presentations encompassed around 1,500 participants, mostly from inspection bodies and business sector. The Government of Serbia established the Inspection Oversight Coordination Commission (web-site: <http://www.inspektor.gov.rs/#/>) in mid-2015. This Commission and sector Working Groups within the Commission meet regularly and undertake other actions in order to improve inspection oversight coordination. The Coordination Commission endorsed the Implementation Plan for the Law on Inspection Oversight. USAID BEP provided technical assistance to the MoPALSOG, the Government and the Commission in development of the "umbrella" by-laws under the Law on Inspection Oversight, and these by-laws were adopted in 2015. USAID BEP provides technical assistance for inspection business processes analysis, within the efforts to establish unified inspection information system E-Inspector. USAID BEP and the Partners for Democratic Changes Serbia have finished conducting the Train the Trainers program on new inspection oversight framework, skills relevant for conducting inspection oversight and training of the inspectors, and plan the advanced trainings.

Objective

The objective of this STTA is to assist in implementation and promotion of the Law on Inspection Oversight and new inspection oversight framework.

Tasks

The Inspection Oversight Legal Specialist will provide technical assistance and advisory support in implementation of the Law on Inspection Oversight, including development of the instructions, interpretations, risk criteria, and check-lists. The Inspection Oversight Legal Specialist will provide technical assistance and advisory support in the process of harmonization of sector inspection legislation with the Law on Inspection Oversight.

The Inspection Oversight Legal Specialist will participate in presentations and trainings on the new inspection oversight framework and Law implementation, as well as other skills relevant to conducting inspection oversight.

The Inspection Oversight Specialist will help building capacities of the Coordination Commission and its supporting office (unit) in the MoPALSOG, and help in improving inspections coordination

and cooperation between inspections and other public bodies by providing technical assistance and advisory support.

The Inspection Oversight Legal Specialist will provide technical assistance and advisory support to the selected inspection bodies to meet regulatory requirements, build capacities and implement the Law on Inspection Oversight.

The Inspection Oversight Legal Specialist will provide the other deliverables as agreed with USAID BEP authorized representative.

The Inspection Oversight Legal Specialist will furnish drafts of deliverables to USAID BEP duly and timely. USAID BEP will provide its comments in written timely after receiving the draft deliverable through Milan Stefanović, Senior Expert in USAID BEP Business Regulation and Economic Governance Team, Inspection Reform Task Manager.

Level of Effort

The maximum number of days under this LoE cannot exceed 15 (fifteen) days. The Inspection Oversight Legal Specialist will obtain approval by the USAID BEP authorized representative on the number of days billable for each activity under this SoW and on deadlines for completion of each activity before he/she engages in that activity.

Period of Performance

Period of performance of this SoW is June 15, 2016 to December 31, 2016.

Deliverables

Specific work products to be developed by the Inspection Oversight Legal Specialist include:

- providing technical assistance and advisory support in implementation of the Law on Inspection Oversight, including development of the instructions, interpretations, risk criteria, and check-lists;
- providing technical assistance and advisory support in the process of harmonization of sector inspection legislation with the Law on Inspection Oversight;
- providing technical assistance and advisory support to the selected inspection bodies to meet regulatory requirements, build capacities and implement the Law on Inspection Oversight;
- providing technical assistance and advisory support in building capacities of the Coordination Commission and its supporting office (unit) in the MoPALS, and providing help in improving inspections coordination and cooperation between inspections and other public bodies;
- participating in presentations and trainings of inspectors;



- STTA Final Report;
- other deliverables as agreed with USAID BEP authorized representative.

Inspection Oversight Specialists will closely cooperate with USAID BEP staff and consultants, as well as with the government, ministries, inspections and other public institutions, business and professional associations, non-governmental organizations, private sector, experts and practitioners. Inspection Oversight Specialist will be part of a USAID BEP Task Management teams.

All documents will be prepared in Serbian and the final report on the work performed and results achieved (STTA Completion Report) will be prepared in English.

To Apply

1. Requirements for eligible candidates:
 - a. Good understanding of inspections and business environment related issues;
 - b. Proven expertise and experience in regulatory reform, administrative law and inspection law;
 - c. Proven expertise and experience in drafting legislation, regulations and/or related enactments;
 - d. Previous experience on USAID projects is preferable;
 - e. Good presentational skills;
 - f. Good English speaking and writing skills;
 - g. Excellent writing skills.
2. Applications including CV clearly showing adequate technical background and relevant work experience should be sent by e-mail to: info@bep.rs, **by June 3 , 2016 CoB (Close Of Business - day)**. Only short-listed candidates will be contacted.