



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

**Position:** Short-Term Construction Permitting and Real-estate Registration Specialists, Legal Expert. Position is opened for one candidate.

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

**Component 1:** Business Regulation and Economic Governance

**Location:** Belgrade

### **I. SCOPE OF WORK**

#### **About the Project**

USAID Business Enabling Project (“USAID BEP” or “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 areas of construction permitting, USAID BEP seeks for assistance of the Construction Permitting Specialist and Real-estate Registration.

USAID BEP has worked with the Ministry of Construction, Transportation and Infrastructure (MCTI) and the Government of the Republic of Serbia (GoS) in developing a new construction permitting framework that is harmonized with good international practices and modern construction standards. USAID BEP and its partners also helped adjustments of the related laws, such as Law on Planning and Construction, Fire Protection Law, Law on State Survey and Cadaster, as well as new Law on Energy, implementing many of construction permitting best



practices. BEP, the MoCTI, and NALED worked on developing the requisite bylaws needed for the One-Stop-Shop system to become operational and for the reforms to work properly. USAID BEP also helped develop the e-permitting system and initial training for permitting authorities.

The construction permitting reform is still evolving. Its implementation involves more than a dozen of the GoS and provincial institutions and public enterprises, along with 162 municipalities and their public enterprises.

USAID BEP's currently focuses on improving construction related legislation (sectoral laws and bylaws) and on facilitating implementation of the one stop shop procedure and ePermitting by providing practical materials and trainings to the stakeholders. One important segment of the construction permitting procedure is the registration of the title, as the final step to the construction permitting process. To that end, USAID BEP has been providing technical assistance to the Government of Serbia Working Group that has produced the Draft Law on Real Estate Registration Procedure. The Draft has been submitted for inter-ministerial review and number of comments, remarks and recommendations have been received through that process. Before submitting the Draft to the next stage of the legislative process (approval by the Government of Serbia), the Draft should be reviewed in light of received comments, and possibly amended to reflect comments that can and should be accepted.

## **Objective**

The objective of this STTA is to assist the Government of Serbia and other members of the Working Group for the Real-estate Registration Law to review comments received in the process of the Draft's inter-ministerial review, and to amend it as it may be advisable. Additionally, the objective of this STTA is to define outline of the key bylaws envisaged in the Draft Law on Real-estate Registration, in order to make sure that the Law's provisions are implementable through the secondary legislation and to facilitate implementation of the real estate registration reform by allowing for adoption of necessary bylaws shortly after adoption of the Law itself.

## **Tasks**

Construction Permitting and Real-estate Registration Specialists will:

- Review the comments, remarks and recommendations received through the process of the inter-ministerial review of the Draft Law on Real-estate Registration and advise members of the Working Group and the MCTI on the recommendations that should be accepted in the next iteration of the Draft Law;
- Provide technical assistance to the MCTI in facilitating agreement with ministries and other public agencies responsible for providing comments on the Draft Law on the text of the Draft Law that will be submitted for the Government of Serbia's approval;



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- Draft changes to the Draft Law on Real-estate Registration to reflect received recommendations that the Working Group agrees should be accepted;
- Define outline of the key bylaws envisaged in the Draft Law on Real-estate Registration;
- Provide technical assistance to the MCTI to review and respond to comments by the members of the National Parliament, including amending the submitted Bill if deemed needed, if within the time scope of this SoW.

### **Level of Effort**

The maximum number of days under this LoE cannot exceed 10 (ten) days. The Consultant 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 October 22, 2017 to November 16, 2017.

### **Deliverables**

Specific work products to be developed by the Construction Permitting Specialist and Real-estate Registration include:

- Recommendations on the comments, remarks and suggestions received through the process of the inter-ministerial review of the Draft Law on Real-estate Registration that should be accepted in the next iteration of the Draft Law;
- Draft of the changes to the Draft Law on Real-estate Registration reflecting received recommendations that the Working Group agrees should be accepted;
- Outline of the key bylaws envisaged in the Draft Law on Real-estate Registration;
- Recommendations to the MCTI on the comments received by the members of the National Parliament that could be accepted and draft of amendments of the submitted Bill as indicated as needed by the MCTI, if within the time scope of this SoW.
- STTA Final Report.

The Consultant will closely cooperate with USAID BEP staff and consultants, as well as with the government, public institutions, business and professional associations, non-governmental organizations, private sector, experts and practitioners.

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



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The Regulatory Reform and Real-estate Registration 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 its Deputy Chief of Party.

### **To Apply**

- 1.** Requirements for eligible candidates:
  - a. Good understanding of construction permitting and real-estate procedure, and business environment related issues;
  - b. Proven expertise and significant experience in construction and real-estate legislation;
  - c. Proven expertise and significant experience in drafting legislation or participating in drafting legislation;
  - d. Good analytical skills;
  - e. Good English speaking and writing skills;
  - f. Excellent writing and good presentational 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 October 20, 2017**. Only short-listed candidates will be contacted.
- 3.** Maximum number of this under this Scope of Work cannot exceed 10 (ten) days.