



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

Position: Real-estate Registration 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 Real-estate Registration Legal Expert.

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 next step is to focus on improving construction related legislation (sectoral laws and bylaws) and harmonizing e-permitting one stop shop procedure with it. USAID BEP will also focus on facilitating implementation of the one stop shop procedure and ePermitting by providing practical materials and trainings to the stakeholders.

Objective

The objective of this STTA is to assist the Government of Serbia and other construction permitting stakeholders to better implement reforms in this area and to facilitate reforms by ensuring harmonization between different elements of the regulatory framework. This support is focused on improving the legal framework for registration of property rights, which is, inter alia, a final step and pinnacle of the construction permitting procedure, when it involves building a new construction.

Tasks

Real-estate Registration Legal Expert will:

- Review Draft Law on Amendments to the Law on State Survey and Real Estate Cadaster, particularly as it pertains to:
 - Expected impact on the efficiency of the real estate registration procedure in terms of time and cost required;
 - Expected impact of the proposed changes on the legal security of the real estate transactions;
 - Harmonization with the other key elements of the legal framework relevant for the real-estate registration, including the public notaries, contract enforcement and mortgage legislation;
- Prepare report comprising
 - Key findings on the expected impact of proposed legal changes;
 - Recommendations for improvements to the Draft Law in order to improve its impact on efficiency of real-estate registration and legal security of real-estate transactions;
- Make at least one presentation of her/his findings, as determined by Cardno technical representative.

Level of Effort

The maximum number of days under this LoE cannot exceed 5 (five) 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 February 15, 2017 to March 31, 2017.

Deliverables

Specific work products to be developed by the Legal Expert for Real-estate Registration include:

- Consultancy report comprising
 - Key findings on the expected impact of proposed legal changes;
 - Recommendations for improvements to the Draft Law in order to improve its impact on efficiency of real-estate registration and legal security of real-estate transactions;
- Presentation of the findings and recommendations;
- STTA Final Report.

Legal Expert for Real-estate Registration will consult and 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.

Legal Expert for Real-estate Registration 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. Excellent understanding of the legal framework for the real-estate registration, challenges in its implementation, its interaction with other important segments of the legal framework and of its impact on the business environment;
 - b. Proven expertise and significant experience in real-estate related legislative drafting;
 - c. Good analytical skills;
 - d. Good English speaking and writing skills;



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- e. 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 February 10, 2017**. Only short-listed candidates will be contacted.
3. Maximum number of days under this Scope of Work cannot exceed 5 (five) days.