

TERMS OF REFERENCE

LEGAL ADVISOR ON DRAFTING REGULATIONS

FOR THE MARKET SURVEILLANCE PROJECT OFFICE UNDER THE MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF UKRAINE

ToR Date of Issuance:	June 23, 2017
Due Date for Applications:	July 7, 2017

PRSM is committed to providing equal employment opportunity without regard to race, color, religion, gender, sexual orientation, national or ethnic origin, age, disability or status as a veteran with respect to policies, programs, and activities.

Background

The Professionals for Reform Support Mechanism (PRSM) provides human resource support – from managers to technical experts - to critical reform initiatives undertaken by national governmental agencies. PRSM is a multi-donor platform, which improves coordination of donor efforts for greater impact and avoids overlap of donor funding. It does not support routine work of the Government of Ukraine that is normally managed by the civil service. To do this, PRSM:

- **Selects initiatives** based on clearly defined links to reform initiatives
- Ensures transparent **recruitment** of human resources
- Manages the **contracting** and payment of human resources
- Provides financial **reports** for donors
- **Monitors** initiatives for results.

Reform Initiative

The Ministry of Economic Development and Trade of Ukraine is implementing the reform of the technical regulation system of Ukraine. The reform is aimed to secure consumer safety along with implementation of commitments under the Association agreement between Ukraine and the European Union and fulfilling conditions needed for signing the ACCA agreement and harnessing benefits of the free trade with the EU.

The Technical regulation system is not complete without a properly functioning state market surveillance system. The state market surveillance is dedicated to cover such "market gap" as lack of motivation to comply with safety requirements in conditions of growing competition and decreasing profit margins. Properly functioning market surveillance system assures consumer safety, enforces responsibility of producers for placing on the market products that don't meet essential safety requirements, grants impartiality of inspection checks, and ensures products traceability (link between a product, producer, places of production and sale).

Position Summary:

Legal Advisor on Drafting Regulations will develop the checklists for market surveillance inspections to be conducted in full compliance with adopted technical regulations.

Preferred Qualifications and Skills:

- Master degree in Law, Technology, Public Administration or other related field;
- Strong knowledge in the field of technical regulation and the state market surveillance;
- Experience in drafting legal acts in technical regulation, preferably concerning products safety regulations;

- Strong analytic skills and proven experience on cross-check of legislation regarding contradictory regulations;
- Communication skills;
- Computer literacy;
- Fluent in English.

Indicative duties and responsibilities:

- Drafting standardized forms of inspection acts (checklists) for 4 main technical regulations: Technical Regulation on Electromagnetic Compatibility (EMC), Technical Regulation on Simple Pressure Vessels (SPV), Technical regulation on safety of machinery and equipment, and Technical regulation on Low Voltage Electrical Equipment and Appliances (LVD);
- Development of a methodology for such work to be conducted by responsible specialists of the Department of Entrepreneurship and Regulatory Policy of MEDT for rest of 41 adopted technical regulations.

Contract Duration and Timing:

The total duration of the consultancy is expected to be 6 months, with possible extension. Office based in Kyiv.

To apply:

Submissions must be prepared in English and delivered electronically by 17:00 Kyiv time on July 7, 2017 to the following address: prsm@fsr.org.ua. We do not welcome unsolicited phone calls.

All submissions must include:

- 1) Applicant's CV (in English);
- 2) Applicant brief letter of interest indicated related experience and achievements.

Please ensure to state **Legal Advisor on Drafting Regulations** in the e-mail subject line.

Applications received after the indicated deadline or without letter of interest will not be reviewed and considered.

Shortlisted candidates will be contacted after July 10, 2017.