**POSITION: *Legal Expert (Category 3,* DHS & Utilities*)***

1. **Objective(s) and linkages to Reforms**

A Reform Support Team (RST) at the Ministry regional development, construction, housing and communal services of Ukraine (MinRegion) is a group of Ukrainian professionals (non-civil servants) funded on a temporary basis by the donors that provides targeted technical support and assists the Ministry in the design and implementation of priority reforms. The RST will assist in filling the capacity gaps in the design and implementation of priority reform strategies and programs, while strengthening links and partnerships between the Ministry’s priorities and relevant donor support.

Energy efficiency reform is among core ones in the Plan of Top Priority Actions for the Government and is part of National Reform Program implemented by National Reform Council. MinRegion made energy efficiency reform one of its top three reform priority. The State should take care of efficient energy infrastructure, introduction of modern energy saving technologies, reducing the share of energy-intensive industries in the economic structure and the introduction of incentives for implementation of energy efficiency. This reform will allow for the next five years reducing imports of natural gas to 1-1.5 billion m3 annually and reducing government spending on subsidies by 3-5 billion every year.

Space heating of buildings possesses huge potential for improvements. 50% of heat is lost through not energy efficient buildings, which is 9 billion cubic meters of gas annually, another 2.4 billion cubic meters of gas is lost on the way to our homes.

District Heating sector reform aims for next main objectives:

* + Improvement in tariffs methodology (including investment component in the tariff);
  + Financial recovery of DHCs(including restructuring of historical debts);
  + Improvement procedures and regulations for attracting investments to the sector (such as city’s guarantees approvals);
  + Improvement in payment discipline (collection of payments);
  + Improving financial standings in the sector and provide incentives to improve efficiency;
* Create favorable conditions for attracting foreign and domestic investments;
* Improvement of subsidies settlements system;
* Restructuring of old gas debts of DHCs;
* Protection of investment accounts used for IFI disbursements.

Waste management, water supply and water sewerage sectors reform aims for next main objectives:

* Development off un ding scheme of collection and recycling of electrical and electronic waste;
* Establishment approach to implementation of separate collection of waste electrical and electronic equipment;
* Improving the formula for calculating the monthly payment for utilities;
  + Giving the right to drinking water supply companies to provide the technical conditions for joining the water supply system.

A legal expert is needed in order to draft and support the necessary legislation changes related to District Heating sector, waste management, water supply and water sewerage sectors reform.

1. **Duration and proposed timeframe:**

This consultancy appointment is expected to start in May 2018 and has an estimated overall duration of 09 months. Subject to the availability of funding, the performance of the selected consultant and the specific needs of the RST, this appointment may be extended.

The Consultant shall deliver services at mainly in Ukraine and for no less than working 20 days per calendar month.

1. **Main Duties and Responsibilities:**

* legal support of the District Heating sector, waste management, water supply and water sewerage sectors reform process;
* preparation of draft laws and secondary legislation within District Heating sector, waste management, water supply and water sewerage sectors reform process;
* representation of the draft legislation before the Committees of the Parliament, the Members of Parliament, State Authorities and Ministries;
* legal support of draft legislation during their approval in the Ministries, Ministries’ internal departments and CMU;
* Negotiation of the provisions of draft legislation with international organization, financial institution, Ministries and Parliaments Committees with regard to their implementation;
* Collaboration with internal legal departments of the Ministries, State Authorities, Parliament for implementation of District Heating sector, waste management, water supply and water sewerage sectors reform acts;
* Preparation of presentations and analysis of legal acts;
* Providing legal analysis of current legislation and preparation of propositions for its amendments within District Heating sector, waste management, water supply and water sewerage sectors reform process;
* Monitoring on a monthly basis changes in the legislation and drafted legal acts to correspond EU Directives;
* Developed and maintained the database covering ongoing and planned projects funded by the IFIs and donors;
* Provide all necessary support required to ensure implementation of the new regulation developed under reform priority area, including but not limited to the laws, concepts, programs and secondary legislation;
* Support in restructuring of old gas debts of DHCs;
* Legal analysis of draft laws and secondary legislation which are to be approved by the Cabinet of Ministries or the Parliament with regard to their influence of District Heating sector reform process, preparation of the comments and amendments to such draft laws.

**Main anticipated deliverables:**

* Analysis report on current legislation for District Heating sector, waste management, water supply and water sewerage sectors reform and prepared comments on its improvement;
* Action plan of legislation changes for District Heating sector reform, waste management, water supply and water sewerage sectors reform;
* Draft necessary legislation changes within District Heating sector, waste management, water supply and water sewerage sectors reform process;
* Legal support on implementation of District Heating sector, waste management, water supply and water sewerage sectors reform process
* Regular progress reports on reform development and implementation.

1. **Qualifications, Skills and Experience:**

* Analysis report on current legislation for District Heating sector, waste management, water supply and water sewerage sectors reform and prepared comments on its improvement;
* Action plan of legislation changes for District Heating sector, waste management, water supply and water sewerage sectors reform and prepared comments on its improvement;
* Drafted legislation changes needed on District Heating sector, waste management, water supply and water sewerage sectors reform and prepared comments on its improvement;
* Regular progress reports on reform development and implementation.
  1. ***Qualifications and skills:***
* At least a Master degree in law;
* Strong analytical, communication and presentation skills;
* PC literacy (PowerPoint, Project, Excel, Word, Legal databases Liga or Rada proficient)
* Fluency in Ukrainian and English
  1. ***General professional experience:***
* More than 5 years of general professional experience. Prior experience of work in public services reform team is a plus.
  1. ***Specific professional experience:***
* Minimum 5 years of working as a lawyer, preferably in housing and communal sector;
* Experience with the reform implementation in Ukraine, especially as related to housing and communal sector is a plus;
* Experience with government entities and their mandate and processes is an asset.

**5. Assignment Value**

The estimated monthly value of this consultancy position is in the region of EUR 400 - 1000. The funding source of this assignment is the EBRD-Ukraine Stabilisation and Sustainable Growth Multi-Donor Account. Please note that selection and contracting will be subject to the availability of funding.

**6. Submissions**

Submissions must be prepared in English and delivered electronically by May 12, 2018 to the following address: [RST@minregion.gov.ua](mailto:RST@minregion.gov.ua)

All submissions must include (original in English, or Ukrainian with English translation):

- Completed Application Form

- Candidate’s Curriculum Vitae Form

- Reference Letter from the recent supervisors (original in English, or Ukrainian with English translation) together with the contact details for two further referees who, if contacted, can attest to the professional and/or educational background of the candidate.

**7. Selection Procedure**

Following the evaluation of all applications received, selected candidates will be invited to a brief written test in the Ministry regional development, construction, housing and communal services of Ukraine covering both general and technical questions in both English and Ukrainian. Only short-listed candidates will be invited to an interview.