

**TERMS OF REFERENCE (TOR)**  
**LEGAL CONSULTANT MINISTRY OF ECONOMIC PLANNING, SUSTAINABLE  
DEVELOPMENT, INDUSTRY, INFORMATION AND LABOUR**

## **1.0 CONTEXT**

Saint Vincent and the Grenadines as a signatory to the Montreal Protocol, Substances that Deplete the Ozone Layer, has enacted and is implementing the **Montreal Protocol (Substances that Deplete the Ozone Layer) (Control) Regulations, 2005, Statutory Rules and Orders 2005 No. 14** (Gazetted 26<sup>th</sup> July, 2005).

The National Ozone Unit (NOU) within the Sustainable Development Unit, Ministry of Economic Planning, Sustainable Development, Industry, Information and Labour is charged with the implementation of all activities related to Ozone layer protection in St. Vincent and the Grenadines.

Essential to maintaining compliance under the Montreal Protocol, is the reduction in consumption of Ozone Depleting Substances. With the 2016 signing of the Kigali Amendment for the phase-out of Hydrochlorofluorocarbons (HCFCs) Parties are urged to amend existing regulations to include new and anticipated control measures in order to maintain compliance under the Protocol. To this end, the services of a Legal Professional are required.

## **2.0 OBJECTIVE**

To amend the Montreal Protocol (Substances that Deplete the Ozone Layer) (Control) Regulations, 2005 Statutory Rules and Orders 2005 No. 14, to adequately address the changes to the Montreal Protocol in fulfilment SVG's obligations.

### **2.1 Specific Objectives:**

The Specific Objectives are:

1. To develop a revised Montreal Protocol Regulations for St. Vincent and the Grenadines in response to the accelerated phase out of HCFCs, the Kigali Amendment and other Montreal Protocol issues.
2. To inform stakeholders of the revised legislation through a consultative process.

## **3.0 SCOPE OF WORK**

The Consultant will:

- 3.1 Conduct a desk review of the relevant regulations and standards of SVG; in relation to the Kigali Amendments and decisions of the Ozone Secretariat.
- 3.2 Submit a list of proposed amendments to the legislation
- 3.3 In consultation with the NOU, conduct at least two (2) stakeholder consultations to review the current legislation, discuss the amendments needed to allow the legislation to adequately respond to the accelerated phase out of HCFCs and other Montreal Protocol targets.
- 3.4 Prepare and submit for discussion, revised draft text for the legislation to the National Ozone Unit, Ministry of Economic Planning, Sustainable Development, Industry, Information and Labour, for review and comments.
- 3.5 Submit final amended regulations for approval at Cabinet.
- 3.6 Conduct a final stakeholder consultation to update on the amended Regulations.

#### 4.0 OUTPUTS/DELIVERABLES

The consultant will submit to the Ministry of Economic Planning, Sustainable Development, Industry, Information and Labour for approval the following:

<b>Outputs</b>	<b>Time frame for delivery</b>
Inception Report to include, inter alia, the detailed proposed methodology and a Work Implementation Plan.	Within 2 weeks of contract signature
Proposal for stakeholder consultations; inclusive of the list of attendees, programme of work and schedule.	1 week of approved inception report
An initial report of recommendations from desk study and stakeholder consultations; for enhancing compliance under the Montreal Protocol.	Within 6 weeks of contract signature
First draft of amended Regulations	Within 4 weeks after approval of initial report.
Final amended regulation submitted for approval	Within 2 weeks after receiving comments on first draft.
Proposal for final stakeholder consultation on the Amended Regulation	Within 2 weeks of the approved amended regulations at cabinet.

#### 5.0 DURATION

The contract for this assignment shall be executed over a six-month period with an expected start date at the signed contractual agreement.

#### 6.0 FUNDING

Total funding available for this consultancy is USD \$7490.00 or EC \$20,000.00

#### 7.0 PAYMENT SCHEDULE

Payment of the Consultant for the provision of deliverables outlined in Clause 4 above shall be according to the following schedule:

Acceptance of inception report	25%
Acceptance of first draft report	25%
Acceptance of the final report	40%
Stakeholder consultation on amended regulation	15%
<b>Total</b>	<b>100%</b>

#### 8.0 QUALIFICATIONS / SPECIAL SKILLS OR KNOWLEDGE

Eligible Consultants should have the following qualifications and experience:

- 8.1 At least ten (10) years working experience in the field of Law. Experience working in St. Vincent and the Grenadines will be an asset.
- 8.2 Proven knowledge of and experience in the drafting and/ or revision of legislation.
- 8.3 Experience in undertaking similar activities in other Developing Countries.
- 8.4 Proven working experience with Government and International Agencies.
- 8.5 Working experience with Multilateral Environmental Agreements (MEAs) is desirable.
- 8.6 Knowledge of the Montreal Protocol on Substances that Deplete the Ozone Layer.

## **9.0 TRAVEL INVOLVED**

No travel is required

## **10.0 REPORTING LINE**

The Consultant will directly report to National Ozone Officer of St. Vincent and the Grenadines.

## **11.0 SUBMISSION OF PROPOSAL**

Eligible Consultant(s) should submit technical proposal in both electronic and hard copy format.

Proposals should also include inter alia:

- 11.1 Statement of relevant experience i.e. similar assignments executed in/under execution
- 11.2 Measurable goals, and objectives and methodology.
- 11.3 Indication of availability to carry out the consultancy over the specified time indicated in 5.0.
- 11.4 Supporting documents such as CVs are to be attached as appendix

Proposals should be delivered not later than Friday 30<sup>th</sup> June, 2017 at the address below:

**Attention:**

**Director  
Sustainable Development Unit  
Ministry of Economic Planning, Sustainable Development, Industry, Information and  
Labour  
2<sup>nd</sup> Floor, Administrative Complex**

**Tel: 784-485-6992, 784-456-1111 ext 885**

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