

Section 5. Terms of Reference

[Text in brackets provides guidance to the Borrower for the preparation of the RFP; it should not appear on the final RFP to be delivered to the shortlisted Consultants]

[Terms of Reference normally contain the following sections: (a) Background, (b) Objectives, (c) Scope of the Services, (d) Training (when appropriate), (e) Reports and Time Schedule, and (f) Data, Local Services, Personnel, and Facilities to be provided by the Client.]

Terms of Reference

Draft Law Traditional Authority

I. Introduction

The general objective of DLGP-I (2003-2005) aimed at: (i) promulgating new enabling legislation for autonomous revenue generation and budget management by District authorities; (ii) putting in place a core package of basic municipal management systems in each of the Districts; (iii) improving the capacity of key central government stakeholders, particularly in Ministry of Regional Development; and (iv) undertaking pre-investment activities in preparation for an expanded follow-up effort by the Government.

Through implementing of the Intergovernmental and legal reform component under DLGP-I the Interim Law Financial Decentralization and the District Ordinance creating District Funds came in operation in the five certified districts Nickerie, Para, Wanica, Commewijne and Marowijne, while a new legal frame work, including draft legislation for implementing fiscal decentralization in Suriname has been submitted to the GOS and the Inter-American Development Bank in October 2008. The draft legislation does not take account of the status of the indigenous peoples and maroon peoples inhabiting the Sipaliwini District.

II. Objective

General: The objective of DLGP-II is to continue supporting Suriname's local government decentralization efforts and to contribute to the attainment of a core legal framework, and as well as to assist new pilot districts of Paramaribo, *Sipaliwini*, Saramacca, Coronie, and *Brokopondo* to obtain adequate Institutional capacity for fiscal self-management and capacity for managing capital investment. The Program will also assist certified districts of Wanica, Para, Nickerie, Commewijne, and Marowijne in the implementation of community based basic infrastructure investment projects and local services.

Specific: The purpose of component "Legal Context" is to continue supporting changes in legislation that are necessary to improve fiscal relations between central and local governments, including a.o the preparation of draft Technical back ground papers and legal background papers on Traditional Authority to complete the legal framework on Local Government.

III. Scope and activities to be undertaken

Specifically the consultant will undertake the following activities:

1. Meet with the Project Implementation Unit (PIU), especially the Managing Director, the Legal and other staff persons within the Ministry of Regional Development, District Commissioner, District Council, the Traditional Authorities in the hinterland and other external experts;
2. Study the relevant project documents and the historical and other background papers.
3. Discuss the subject during brainstorming sessions and hearings with the relevant stakeholders for input and perform Power Point presentation for consensus building during meetings initiated by the PIU and/or Ministry of Regional Development;
4. Attend and participate in meetings, seminars, workshops of the PIU and Ministry of Regional developments that are related with the subject/objective of this consultancy;
5. Preparation of the Technical Background Paper;
6. Preparation of the Legal Background Paper;
7. Preparation of the Draft Law.

IV. Qualifications and Duration of Consultancy

Education: Masters in Public Administration or law

Experience: A Minimum ten years professional experience in central government administration and expertise in local law related to traditional authority in the hinterland of Suriname, and all other aspects of

the indigenous peoples and maroon peoples inhabiting the Sipaliwini District, in preparing technical and legal background paper, and drafting of laws as well. The composition of the consulting firm should consist of expertise with at least 10 years experience in the area of preparing legal back ground paper, technical background papers, drafting of law.

Languages: Fluent in Dutch and English.

Duration: 8 months (after signing of the contract)

V . Supervision of the Consultant

The Consulting Firm will be contracted and supervised by the PIU Managing Director and will work closely with the core PIU, the stakeholders within the Ministry of Regional Development and the consultants involved in the Program. The consultant will report to the Managing Director of the DLGP.

VI Deliverables and payment schedule

Duration of the consultancy and consultancy fee as agreed in the table of payment schedule

	Deliverables	Deadlines	Agreed %
1	Technical Background Papers	Oct 2009	20%
2	Legal Background Papers	Dec 2009	30%
3	Draft the required law	March 2010	40%
4	Perform power point presentation to, PIU, MRD and stakeholders	April 2010	10%
	TOTAL AMOUNT in SRD		

Payment as scheduled minus 10 % on each deliverable will be upon acceptance of the deliverable by the PIU, and will be deposited into the bank account of the consultant within 30 days after receiving of the invoice. The balance of the 10% will be paid after a Power Point presentation of the final version and acceptance of the deliverables by the Ministry of Regional Development.