



REPUBLIC OF MACEDONIA  
GOVERNMENT OF THE REPUBLIC OF MACEDONIA  
SECRETARIAT FOR EUROPEAN AFFAIRS

TERMS OF REFERENCES (TOR C1 04-2009)  
SHORT -TERM CONSULTANT  
FOR REGULATORY IMPACT ASSESMENT (RIA) TRAINING

## 1. INTRODUCTION

### 1.1. Background of the assignment

The Republic of Macedonia was granted candidate country status at the European Council of 15/16 December 2005 fully committed to implement the Key priorities of the Accession Partnerships aiming at launching accession negotiations, the Government of the Republic of Macedonia adopted a Plan with measures and actions for implementation of the Key priorities of the Accession Partnership.

The plan sets out the timeframe and designates the responsible institutions. Its implementation is continuously monitored through regular reports submitted to the Government by the Secretariat for European Affairs.

UK assistance through the project *Building administrative capacities for EU integration, funded by UK SPFRE (Strategic Programming Fund Reuniting Europe)* has immediately responded to the priorities set in the Plan for realisation of the benchmarks. This was facilitated by the fact that the project objectives coincide specifically with two of the benchmarks: IV Recruitment and career advancement of civil servants and VIII Enhance the general business environment by further improving the rule of law. This benchmark includes establishing framework for systematic Regulatory Impact Assessment.

The legal framework for RIA was adopted in February and March 2008 with: Amendments of Government rules of procedures (Official Gazette No. 29/2008), Methodology on Regulatory Impact Assessment (the Official Gazette of the Republic of Macedonia No.37/2008) and Decision on format and content of the form of the Regulatory Impact Assessment (the Official Gazette of the Republic of Macedonia No. 37.2008

Through RIA pilot projects (The Law on Court Taxes and Law on Waste Packaging) and the expert's support from the British consultants, testing of the RIA Methodology and forms has been done. According to the experience that was gained through these projects, changes of the Methodology on Regulatory Impact Assessment (the Official Gazette of the Republic of Macedonia No.66/2009) and RIA forms (Decision on format and content of the form on Regulatory Impact Assessment, the Official Gazette of the Republic of Macedonia No.66/2009) were made

Consequently, series of trainings were conducted in order to raise awareness and to inform administration officials of the new procedures established within the public administration.

However, acknowledging that RIA methodology is rather different tool that what has been previously used in assessing the regulations, the project will continue to support the General Secretariat and Ministries in process of efficient implementation of RIA

### 1.2. Responsible institutions

### 1.2.1. Secretariat for European Affairs (SEA)

The coordination of the programming and implementation of the financial support and assistance coming from the European Union is in a direct competence of the Deputy Prime Minister for European Affairs, as National Aid Coordinator and National IPA Coordinator, and by the Secretariat for European Affairs (SEA), as its office. The Secretariat for European Affairs is a direct partner to the European Commission (EC) and serves as a channel of communication between the national authorities and the relevant services of the Commission

The Secretariat for European Affairs (SEA) has pursued its central role as the coordinating body of the EU accession process and is given the task to organise, coordinate and synchronise the EU integration process with overall responsibility of approximation of the national legislation with that of the EU, translation of the EU legal acts, institution building, coordination of foreign assistance, and information to the broader public on EU and the European integration process.

The SEA is responsible for the implementation of the project *Building capacity for EU integration funded by the UK*, in which frame this mission shall be supported, is designed to provide technical assistance and advice to General Secretariat of the Government of Republic of Macedonia and the Secretariat for European Affairs in the administration of the EU accession process.

The main purpose of the project is to support Government of the Republic of Macedonia in providing planned, coordinated and professional administrative response to EU requirements, supported with good communication strategy and appropriate and applicable instruments for strategic planning, policy analysis and impact assessment, human resource management, access and utilization of pre-accession assistance etc.

For more information please visit [www.sep.gov.mk](http://www.sep.gov.mk)

1.2.2 The General Secretariat is expert service of the Government, whose assignment is to provide coordination and expert support in the function of harmonization of the policies of the Government, submitted by the ministries and other bodies of the state administration.

Mission of the General Secretariat is providing coordination and expert support to the Government of Republic of Macedonia, President of the Government, Vice- Presidents of the Government and (ministries) members of the Government in realization of their strategic authorities, especially after: questions of implementation of the strategic priorities of the Government; submission, adoption and overseeing the realization of Government's Annual Working Plan; policy analysis and coordination; overseeing the realization of Government's conclusions; preparation and organization of Government's session and sessions of Government's working bodies; coordination of the economic reforms in function of improvement business climate and attraction of the investments; Realization of the Framework Agreement; overseeing and coordinating Public Administration Reform; realization of cooperation with organizations and institutions from the non-governmental sector and legal entities; providing IT support and informing the public about Government's activities

Goal of the Secretariat is its development in efficient service that provides full support to the Government in realization of strategic priorities, decision making and realization of the policies in harmonization with EU standards.

The activities up to present and the ones planned for the future connected to the process of introducing RIA are under direct authority of the Sector for Economic Policies and Regulatory Reform within the General Secretariat, which monitors the activities coordination and implementation of the projects related to the regulatory reforms in the Republic of Macedonia. The sector provides expert analyses and support, prepares opinions and materials and initiates proposals for amendments or passing of acts needed by the Vice President of the Government of the Republic of Macedonia in charge of economic affairs, who coordinates the economic reforms and informs on issues which are in charge of the

## 2. FRAMEWORK OF THE MISSION

### 2.1. Objective of the mission/ assignment

The objective of this mission is to increase capacity of the Government of Republic of Macedonia and ministries for preparation of quality legislation through Regulatory Impact assessment process.

Concrete objective of the assignment is to raise awareness for the importance of implementation of RIA particularly in the accession process and to provide governmental institutions with the methods for coordination of Regulatory Impact Assessment process.

Through the experience gained from the workshop, consultants should have wider picture on the developments of the regulatory process in Macedonia and will provide suggestions for improvements and support through exchange of best practices.

### 2.2. Expected outputs

a) Developing an understanding for the importance of RIA in law drafting process and acquire knowledge of the international best practices in implementation of Regulatory/Impact assessment process (with focus on public consultations) for national focal points responsible for implementation of RIA.

b) Core staff of Secretariat for European Affairs (SEA) and General Secretariat (GS) acquainted with the complementarities of RIA and IA processes in the European Union, and their importance especially in the accession partnership.

### 2.3. Activities of the mission

a) Developing training curriculum and training materials.

b) Delivery of two day workshop on Regulatory Impact Assessment and following topics:

- International practices of Regulatory Impact Assessment process and importance of Impact Assessment Process, including complementarities and gaps.
- Using Regulatory Impact Assessment to meet regulatory challenges / Steps of the RIA process
- Inter ministerial coordination and cooperation in implementation of RIA
- RIA/ IAs at the EU level and how this affects national regulation, particularly in the process of accession
- Importance of public consultations in the preparation of legislation

v) One day informative session/workshop on the some topic for the SEA and General Secretariat Staff.

g) reporting

### 2.4. Planning, Implementation and Reporting

Output	Description	When	With whom
2.2 a)	Two day workshop	December-January	State officials, national focal points responsible for implementation of RIA
2.2 b)	One day informative workshop	December-January	SEA and GS staff

### 3. ORGANISATION

#### 3. 1. Assignment team

For realization of the assignment output 2.2. a) and b), a presence of one international consultant will be required

#### 3.2. Specific requirements

The international consultant has to have specific in-debt knowledge in the Regulatory Impact Assessment

At least 8 years relevant working experience, out of which at least 4 years related to Regulatory Impact Assessment.

Relevant knowledge and experience of EU legislation

Previous experience on similar assignments and work at public administration of RIA, would be an asset.

#### 3. 3. Time period (days)

Output	Number of days	Period	Note
2.2. a)	2	December 2009 January 2010	Two day training
2.2. b)	1	December 2009 January 2010	One day workshop,
/	2	December 2009 January 2010	Preparation and reporting
Total	5	December 2009 January 2010	Completion of the assignment

Realisation period for the mission will take December- January

Proposed dates should be part of the providers offer

Any adjustment will be made in consultation with Sector for Economic Policy and Regulatory Reform

#### 3. 4. Logistics provided

For the completion of the activities, Sector for Economic Policies and Regulatory Reform of the General Secretariat of the Government and SEA/ SPFRE project team will provide following logistic:

Head of the Unit for Regulatory reform - available for consultations during the mission

Economic associate for regulatory reform - available for consultations during the entire mission

SEA State Councillor

SPFRE project manager - available for consultations during the entire mission;

Logistic officer - available during the whole mission.

#### Logistics

The mission will be organized by SPFRE/GS Sector for economic policies and regulatory reform;

Translation (to/from English) – available during the mission;

Office - office premises, computers (Word, Excel), printers, copy machines, DTP; will be available

Transport in Macedonia, available;

Accommodation and food –will/should be part of the provider's offer.

Payment: 50% within 15 days after signing the contract and 50% within 30 days after the completion of the mission.

### 3. 5. Bibliography and documentation

- Methodology for regulatory impact assessment
- Forms for regulatory impact assessment