

REQUEST FOR EXPRESSIONS OF INTEREST CONSULTING SERVICES – INDIVIDUAL CONSULTANT

Republic of Serbia

**STATE OWNED FINANCIAL INSTITUTIONS STRENGTHENING PROJECT
(SOFI)**

Project ID No. P156837

Assignment Title:

Individual Consultant (Local full time) – Senior Legal Consultant, Reference No. SER-SOFI-IC-CS-21-29

The Republic of Serbia has received financing in the amount of US\$ 50,000,000 equivalent from the World Bank toward the cost of the SOFI Project, and it intends to apply part of the proceeds to payments for consulting services to be procured under this project. This project will be jointly financed by the Ministry of Finance of Serbia (MoF) in the amount of US\$ 6,000,000.

The scope of work of the Senior Legal Consultant shall include, but not be limited to the following:

- Provide legal support to the MoFFS in drafting and implementation of relevant bylaws in line with changes to the Capital Markets Law;
- Provide legal support in facilitating public hearing and consultations on all regulatory and strategic recommendations set forth by the working group;
- Supporting the management of the working group on the Capital Markets Strategy Development and follow up progress reports;
- Provide technical support in preparation of the Capital Market working group session materials, report consolidation, follow-up documentation and communication with relevant institutions (Securities Commission, Belgrade Stock Exchange, Central Register, Public Debt Administration, etc.);
- Provide legal expertise related to the policy paper drafting, report analysis and synthesis, as well as general understanding of the capital markets;
- Consolidating existing capital markets diagnostics, prepared by international consultants, shareholders and relevant institutions;
- Conduct regulatory/legal benchmarking with regulations in relevant markets in the region and the EU;
- Work on further capacity development of corporate governance and other aspects relevant to the development of capital markets of the State-owned companies;
- Provide adequate support in the analysis of reports based on collected information, which includes detailed legal information and information on asset quality for state-owned banks;
- Other relevant activities and duties as instructed by the Acting Assistant minister in charge in the MoFFS (hereinafter: The Assistant minister).

The Consultant shall provide full time service for the life of the Project, i.e. July 31, 2022.

Required qualifications and skills:

- University degree in law. Postgraduate degree in law will be considered as a distinct advantage;
- Minimum of six 6 years of professional experience in the provision of legal services in financial institution (public, or private), and/or corporate sector (public, or private);
- Experience in activities related to capital market development in the Republic of Serbia;
- Experience of project/s or contract work with international organizations will be considered as a distinct advantage;
- Knowledge of local regulations related to capital and financial market is essential;
- Advanced user of MS Office (especially Excel);
- Strong communication skills and excellent knowledge of written and spoken Serbian and English languages;
- Proven teamwork skills;
- Ability to work under pressure and meet deadline.

The Central Fiduciary Unit (CFU) of the MoF now invites eligible Consultants to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services (scanned diplomas to be sent with CV).

The evaluation criteria for each assignment:

- Specific Experience relevant to the Assignment (60 Points)
- Qualifications and Competence relevant to the Assignment (40 Points)

The attention of interested Consultants is drawn to paragraph 3.16 and 3.17 of the *World Bank's Procurement Regulations for IPF Borrowers – Procurement in Investment Project Financing Goods, World, Non-Consulting and Consulting Services, July 2016, revised November 2017* ("the Regulations") setting forth the World Bank's policy on conflict of interest.

A Consultant will be selected in accordance with the *Open Competitive Selection of Individual Consultants* as set out in the Regulations.

Further information can be obtained at the address below during office hours 09:00 to 15:00 hours.

Expressions of interest in English language must be delivered in a written form to the **e-mail address below, by December 20, 2021, 12:00 hours, noon**, local time.

Contact:	E-mail:	Address:
To:	zorica.petrovic@mfin.gov.rs Ms. Zorica Petrovic Procurement Specialist	Ministry of Finance Central Fiduciary Unit 3-5 Sremska St 11000 Belgrade, Serbia
Cc:	ljljana.dzuver@mfin.gov.rs ognjen.popovic@mfin.gov.rs	Tel/Fax: (+381 11) 202-15-30

TERMS OF REFERENCE
Senior Legal Consultant

Background

The International Bank for Reconstruction and Development (hereinafter: the IBRD) has granted to the Republic of Serbia (hereinafter: RoS) a EUR 40.1 million results-based loan to finance the State-Owned Financial Institutions Strengthening Project (hereinafter: the Project) with its implementation period lasting four years. According to the Loan Agreement, the disbursement of about EUR 34.57 million of the loan amount will be through several installments based on achieving respective Disbursement Linked Results (hereinafter: the DLRs). Within the Project IBRD also provides a technical assistance component of EUR 5.43 million to help with the achievement of the DLRs. The technical assistance component also includes consulting services which should help develop capacity of the Ministry of Finance (hereinafter: the MoF) as one of the competent bodies for creating financial stability in the RoS through stabilization of the banking sector, especially with respect to state-owned institutions.

The Ministry of Finance of the RoS (hereinafter: the MoF) is the implementing entity responsible for all technical aspects of implementation of the Project. The Project provides financing for technical assistance (hereinafter: the TA) for strengthening institutional capacity through Component 2, in support of the achievement of the agreed DLRs. Component 2, among other things, includes funding of individual consultants which will be engaged to help the MoF unit of Financial Sector (hereinafter: the MoFFS) to meet respective DLRs, as the unit in charge for overseeing the RoS financial sector. The Project provides that MoFFS shall be the unit within the MoF responsible for collecting data required for monitoring and evaluation and coordination of the Project's activities related to fulfilment of the DLRs.

The Project implementation by the MoFFS with its current resources (existing lack of qualified staff being a serious issue) could jeopardize the Project realization, so recruitment of additional consultants under the TA component of the Project represents necessity. In accordance with the organization structure of the MoFFS, its constituent Banking Unit (hereinafter: the BU) in particular, is primarily competent for carrying out activities related to the banking sector, particularly, monitoring business activities in state-owned banks through the financial indicators, supervision over management bodies of mentioned banks, as well as carrying out reorganization processes of the same. Beside mentioned activities, the BU is in charge of carrying out different secondary activities, needed for successful performance of its primary competences. These activities include administrative and technical support related to capital management in state-owned banks, cooperation with financial institutions, both state and international, etc. Having in mind that the MoFFS is currently understaffed with law analyst, the engagement of consultant is very important for the Project realization in good manner with focus on strengthening the MoFFS's capacity to properly improve Serbian capital markets and State owned Financial Institutions (hereinafter: the SOFIs).

Objectives of the Project

The main objective of the Project is to improve the performance of Banka Postanska Stedionica AD Beograd (hereinafter: BPS) and promote the reform of Development Finance Institutions and other SOFIs. The Project aims to support the reform of the SOFIs by contributing to the government's reform program through executing a strategy for SOFIs that decreases fiscal costs, minimizes the potential for soft budget support to state-owned enterprises, improves the performance of those institutions that the government chose to retain, supports the divestiture of all others, and develops a strategy for development finance and further NPL resolution. Within that broader objective, further developments of the financial sector and the capital markets are important.

Given the aforementioned, the Ministry of Finance spearheaded the capital markets development efforts by establishing a Working Group tasked with creating a strategy for capital markets development. The Working Group has a broad institutional support, with representatives of the Ministry of Economy, National Bank of Serbia,

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Securities Commission, Central Securities Depository and Clearing House, Treasury, Belgrade Stock Exchange and Serbian Development Agency actively involved.

In line with that the Capital Market Development Strategy for the period 2021-2026 has been adopted by the Government on its session held on October 21, 2021. Mentioned strategy will lay foundation for the development of regulatory, institutional and support frameworks aimed at strengthening the Serbian capital market in service of increased economic activity and growth in the coming decade.

The Senior Legal Consultant (hereinafter: the Consultant), along with other legal consultants, should perform activities which are focused onto: (i) overseeing the restructuring process of the Banka Postanska Stedionica a.d. Beograd (hereinafter: the BPS) prescribed by the government's strategy for state-owned banks, (ii) providing benchmark analysis of capital markets development and regulatory framework in other countries, (iii) supporting in improving the oversight of SOFIs. Beside mentioned activities, another very important objective of the Consultant assignment is to: (i) build and enhance capacity for implementation of main segments of the Project through direct activities in the MoFFS and (ii) cooperation with different financial institutions, both state and international etc.

Bearing in mind all above mentioned, it is necessary to secure TA to the MoFFS in order to create conditions for engagement of consultants, who will be in charge for further upgrade of performance and capacity of the MoFFS for capital market development and overseeing and implementing the reform strategy for SOFIs.

Scope of Work – Senior Legal Consultant

The scope of work of the Senior Legal Consultant shall include, but not be limited to the following:

- Provide legal support to the MoFFS in drafting and implementation of relevant bylaws in line with changes to the Capital Markets Law;
- Provide legal support in facilitating public hearing and consultations on all regulatory and strategic recommendations set forth by the working group;
- Supporting the management of the working group on the Capital Markets Strategy Development and follow up progress reports;
- Provide technical support in preparation of the Capital Market working group session materials, report consolidation, follow-up documentation and communication with relevant institutions (Securities Commission, Belgrade Stock Exchange, Central Register, Public Debt Administration, etc.);
- Provide legal expertise related to the policy paper drafting, report analysis and synthesis, as well as general understanding of the capital markets;
- Consolidating existing capital markets diagnostics, prepared by international consultants, shareholders and relevant institutions;
- Conduct regulatory/legal benchmarking with regulations in relevant markets in the region and the EU;
- Work on further capacity development of corporate governance and other aspects relevant to the development of capital markets of the State-owned companies;
- Provide adequate support in the analysis of reports based on collected information, which includes detailed legal information and information on asset quality for state-owned banks;
- Other relevant activities and duties as instructed by the Acting Assistant minister in charge in the MoFFS (hereinafter: the Assistant minister).

Reporting requirements

The Consultant will report to the Assistant minister in charge. In addition, the Consultant shall regularly inform the Assistant minister in charge on the progress of the Projects realization and assist in the preparation of the progress reports for reporting to the World Bank.

Profile of the Senior Legal Consultant

The Senior Legal Consultant should possess:

- University degree in law. Postgraduate degree in law will be considered as a distinct advantage;
- Minimum of six 6 years of professional experience in the provision of legal services in financial institution (public, or private), and/or corporate sector (public, or private);
- Experience in activities related to capital market development in the Republic of Serbia;
- Experience of project/s or contract work with international organizations will be considered as a distinct advantage;
- Knowledge of local regulations related to capital and financial market is essential;
- Advanced user of MS Office (especially Excel);
- Strong communication skills and excellent knowledge of written and spoken Serbian and English languages;
- Proven teamwork skills;
- Ability to work under pressure and meet deadline.

Length of assignment

The Consultant shall provide full time service for the life of the Project, i.e. July 31, 2022.

Facilities to be provided to the Consultant

MoF will provide the Consultant with suitable office space and office equipment (PC, telephone, internet connection, etc.) and access to office services as required.

Services are to be performed predominantly in Belgrade.

Confidentiality

The Consultant undertakes to maintain confidentiality on all information that is not in the public domain and shall not be involved in another assignment that represents a conflict of interest to the prevailing assignment.

Selection of Consultant

The Senior Legal Consultant will be selected applying Open competition method.

The candidates will be evaluated applying the following evaluation criteria:

- Qualifications and General experience (40 Points)
- Specific Experience relevant to the Assignment (60 Points)

The Consultant is eligible and his selection does not create any conflict of interest as provided in the Bank`s Procurement Regulations.