

Terms of Reference (ToR) for Senior Short-Term Business Expert – Legal Specialist

1. Short description of »Technical Assistance for Monitoring and Evaluation of the Active Labour Market Measures«

Contractor:	Tetra Tech International Development B.V.
Contract No.:	CFCU/MNE/083
WYG reference	E4462
Contract Title:	Technical Assistance for Monitoring and Evaluation of the Active Labour Market Measures
Contracting Authority:	Directorate for Finance and Contracting of the EU assistance Ministry of Finance (CFCU)
Beneficiaries	Ministry of Economic Development, Division for Programming and Implementation of EU Funds and Employment Agency of Montenegro
Position:	Non-Key expert: Senior Short-Term Business Expert - Legal Specialist
Component / Activity:	Component 1: <u>Capacity building of EAM</u> <ul style="list-style-type: none"> • Activity 1.3. Prepare and deliver capacity development programme for the overall management of the self-employment programme

The “Technical Assistance for Monitoring and Evaluation of the Active Labour Market Measures” is a 30-month project, financed within the Instrument for Pre-Accession Assistance – IPA II, and managed by a consortium led by WYG International Ltd.

The Overall objective of the project is “to support employment in Montenegro by facilitating the implementation of self-employment programme”. The Purpose of the project is “to enhance the capacity of the Employment Agency of Montenegro (EAM) by establishing a sound and nationally-owned mechanism for the overall management, monitoring and evaluation of the grants for self-employment”.

The project is part of a wider endeavour by the Ministry of Economic Development to modernise the services which they provide. The project is designed to strengthen the capacities of the EAM and its regional offices and municipal sub-offices to successfully manage the self-employment programme.

There are 3 main project results to be achieved:

RESULT 1: Performance of the EAM regional and local offices to conduct the procedures of launching, assessing, awarding, implementing, monitoring progress and reporting on grants for self-employment, improved;

RESULT 2: The system for monitoring and evaluation of grants for self-employment in Montenegro strengthened and functional;

RESULT 3: The EAM is capable to manage and monitor implementation and evaluate the impact of self-employment programme in line with the EU best practice.

The work of the project is centred on **seven activities** grouped in 3 Components:

Component 1: Capacity building of EAM:

- Conduct the analysis of the previous and current situation in term of self-employment programmes managed by EAM
- Prepare a comprehensive Handbook for implementation of self-employment programme
- Prepare and deliver capacity development programme for the overall management of the self-employment programme

Component 2: Implementation of the grants for self-employment

- Provide support in evaluation (assessment) of the business plans
- Prepare a detailed plan for monitoring the implementation of the grants for self-employment
- Provide support in monitoring the grants for self-employment

Component 3: Evaluation of the grants for self-employment

- Organise and deliver annual impact evaluation of the grants for self-employment and prepare report with conclusions and recommendations.

2. Purpose of the ToR and the mission(s)

The purpose of the TOR is to:

- (1) assign specific tasks to SNKE for project activity 1.3.
- (2) define specific outputs to be delivered in a result of implementation of said tasks,
- (3) define the number of working days required to deliver said outputs and
- (4) establish timeframe and deadlines for delivering outputs.

3. Main tasks/Activities

The aim of this activity is to support Team leader in development of standardised content and training materials for module **Legal aspects of businesses** within the Specialised trainings. Training is intended for the successful applicants within the EAM self-employment grants programme.

It is expected that candidate is familiarized with the information and documentation of the EAM self-employment programme, especially with those related to the obligations of the grant beneficiaries, available at: <https://www.zzzcg.me/program-grantova-za-samozaposljavanje/>.

Scope of work/specific tasks

- Development of learning plan for the module Legal aspects of businesses
- Development of training materials for trainers and participants of the specialised training for the module Legal aspects of businesses

Expected outputs:

- Module **Legal aspects of business** learning plan together with the training materials for EAM trainers and participants of the self-employment programme developed. Minimum required content for this module is described below:
 - Legal forms that can be registered according to the Companies Act
 - Characteristics, advantages, and disadvantages of each of the possible legal forms
 - procedures for registration of different legal forms (registration of entrepreneurs and registration in the Central Register of Tax Administration, registration of companies in the Central Register of the Commercial Court, obligations, costs, forms, steps and fulfilment of other conditions for legal business – bank account, registration of employees in the Tax Administration, customs register,...), employment of employees (registration of employees in the Tax Administration, employment contract, deregistration of employees - forms, and other rights, obligations and responsibilities from work and on the basis of work
 - Other contracts: business cooperation agreement, sales contracts, lease agreement, ...
 - Common mistakes, tips, and examples

Selected expert is obliged to prepare learning plan and training materials in accordance to the standardized project templates, which will be delivered to the expert immediately after the approval of his / her engagement.

4. Timing, location and duration of mission/s

Total working days' allocation: **5 working days** from **23rd April to 28th April 2021**.

Location:

The time input of the non-key expert is 100% in Montenegro. The expert will be working in Podgorica at Project office, or elsewhere in Montenegro, if so agreed.

In case of the extension of the preventive measures due to COVID-19 pandemic expert will work on-line, if so agreed with the Contract Authority and Beneficiaries.

Selected expert will have to prepare learning plan and training materials in accordance to the standardized project templates, which will be delivered to the expert immediately after the approval of his / her engagement.

5. Profile of the expert needed

A SNKE is required for the job with the following qualifications and skills.

General requirements

- Level of education which corresponds to completed university studies (4 years) in economics, education, social science, or other relevant fields
- Minimum 5 years of working experience, preferably in areas related to economic development/ entrepreneurship / SMEs development / accounting
- Ability to work systematically, methodically, methodologically and accurately;
- Good communication, team working and representation skills;
- Advanced computer skills; proficiency in MS Word, Excel, PowerPoint;
- Fluency in written and spoken English.

Specific requirement

- At least 3 years of relevant experience in accounting and/or taxes

Desirable requirement

- Knowledge of the local language
- Experience in consulting/ training start-ups and/or potential entrepreneurs
- Hands-on experience in working in the above environment.

6. Performance indicators

The indicators reflecting the STEs performance are timely presentation of results and outputs, quality of documents and reports to be provided to the Team Leader and the Beneficiaries.