

TERMS OF REFERENCE

Contract			
Project			
Competence	Legal Expert		
Source	National	Category	Independent individual consultant
<p>Scope of work: Legal Expert shall draft the detailed schedule of works, coordinate and have it approved by the signature of the supervising Deputy Minister within 20 days from the beginning of the project; the schedule may be adjusted as instructed by the Team Leader;</p> <p>Directly performs the following work with the expert team:</p> <ul style="list-style-type: none"> - conduct an analysis of NLA, as well as an examination of draft regulatory legal and other acts in the field of the road sector, developed by the MOTC KR, for compliance with the law and international treaties that have entered into force in the manner prescribed by law, to which the Kyrgyz Republic is a party. - development and legal support of the Strategic Plan for the introduction of toll roads in the Kyrgyz Republic. - development and legal examination of the Guidelines for the construction and placement of toll booths and the Rules for collecting tolls on toll roads. - development of NLA on introduction of amendments and additions to: <ol style="list-style-type: none"> 1) Resolution of the Government of the Kyrgyz Republic No. 538 dated August 24, 2017 “On approval of the Regulations on the procedure for the design, construction and reconstruction of roads” in order to bring them into line with current legislation; 2) Resolution of the Government of the Kyrgyz Republic No. 512 dated August 18, 2017 “On approval of the Procedure for the use of roads and road structures and their protection in the territory of the Kyrgyz Republic and the Procedure for the classification and numbering of public roads in the territory of the Kyrgyz Republic” (add the category and length of roads, etc.); - updating and supplementing SNIP 32012004 "Design of roads" and "Code of rules" in accordance with the regulations of the Customs Union; - development of standard series for roads of the Kyrgyz Republic; - conducting an analysis of by-laws and other regulatory legal documents in the road transport sector, prepared or being prepared by the Ministry, for compliance with the legislation of the Kyrgyz Republic and duly entered into international treaties to which the Kyrgyz Republic is a party. - assistance in studying the existing GOSTs and SNIPs and the legal basis for their operation; - legal support for amendments and adjustments to the above documents in accordance with the legislation of the Kyrgyz Republic; - study and preparation of a legal basis for the implementation of a road safety audit; - if necessary, legal support for the preparation of NLA for the implementation of road safety audits; - if necessary, development of a methodological recommendation for landscaping public roads; - if necessary, preparation and legal support for the preparation of NLAs, amendments to the laws of the Kyrgyz Republic regarding the organization of the work of the Road Maintenance Department, SE "Kyrgyzavtozhoh" and the Road Fund; - performance of other tasks on legal issues. 			

- providing assistance, as necessary, in the work of the Working Commission on issues related to water transport, established by Order of the Ministry of Transport and Communications of the Kyrgyz Republic No. 253 dated August 9, 2023.

Outputs:

- Order of the Ministry of Transport and Communications of the Kyrgyz Republic "On Approval of the Strategic Plan for the Introduction of Toll Roads in the Kyrgyz Republic";
- Order of the Ministry of Transport and Communications of the Kyrgyz Republic "On Approval of Guidelines for the Construction and Placement of Toll Booths";
- Order of the Ministry of Transport and Communications of the Kyrgyz Republic "On Approval of the General Plan for the Development, Improvement and Placement of Road and Roadside Service Facilities on the ROW and Roadside of Public Roads";
- Decree of the Cabinet of Ministers of the Kyrgyz Republic "On approval of the Rules for collecting tolls on toll roads";
- Adoption of the relevant NLAs in accordance with the Law of the Kyrgyz Republic "On roads" dated May 22, 2023 No. 104.

Reporting requirements:

Initial report - a schedule and sequence of works shall be provided after 20 days, with a clearly indicated planned timing for the development of NLA (progress report shall be provided on a monthly basis);

Monthly progress reports shall be submitted to the Team Leader.

Completion report - complete information on the tasks performed and the results achieved with recommendations for further activities in relation to the adopted documents.

Location of the assignment	Days/months	Dates
The main location for service delivery is the ADB PIU Office at MOTC KR with periodic visits to construction sites as needed.	12 months	Services are scheduled to start on _____, 2023, subject to ADB approval. The contract is valid until _____, 2024.
Contract period (specify if intermittent)	intermittent	-

Qualification requirements:

- Higher education in the field of Jurisprudence;
- Minimum 5 years work experience;
- Experience in projects financed by international financial institutions is an advantage;
- Knowledge of the state and official languages at a level sufficient to complete the assignment;
- At least 5 years of experience in the development of regulatory legal acts;
- Knowledge of legislation in the field of transport and roads;
- Interpersonal communication skills and the ability to work in a team;