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Terms of Reference (ToR) for a Short-Term assignment

Technical assistance requested:	One (1) Junior Non-Key Expert in the area of Energy efficiency
Project Title:	Policy and Legal Advice Centre (PLAC II), Serbia
Ref:	EuropeAid/137065/DH/SER/RS
Service Contract No.:	(CRIS) 2016/375-724
Main beneficiary:	The European Integration Office of the Republic of Serbia and the Negotiating Team
Target Beneficiaries:	The Ministry of Mining and Energy
Content of the assignment:	Assistance in harmonisation of national legislation with EU Ecodesign <i>acquis</i>
Budget Line / Expert Category:	Junior Non-Key Expert
Duration of the assignment:	30 working days, spent during several missions in the period from October 2017 – (tentatively) March 2018

1. Relevant background information

Background information in relation to PLAC II project:

The scope of PLAC II Project is to provide support to relevant national institutions in charge of alignment of national legal acts with the EU *acquis* and to contribute to further building of capacities of relevant national structures for successful carrying out of accession negotiations.

The PLAC II Project should achieve two results:

RESULT 1 - Enhanced compatibility of national legislation with EU legislation and its effective implementation,

RESULT 2 - Enhanced capacities of the relevant national structures for successful carrying out of accession negotiations.

In general, the project aims at fostering the process of accession negotiations of Serbia by supporting the effective alignment of national legislation with the *acquis* and its implementation and by further building the capacities of involved carriers of the EU integration process in Serbia. After completion of screening process in 2015, Serbian public administration has entered into much more demanding and obliging exercise of accession negotiations, whereby each step and every decision should result in approaching actual membership in the EU. For this scenario to happen in accordance with planned dynamics, preparedness, adequate institutional capacity of public administration with highly competent staff is of crucial importance. In the core period of the negotiations, PLAC II Project shall support domestic line institutions and the negotiating structures both in performance of quality operational work in relation to harmonisation process and in the effective coordination during various stages and phases in the process for different negotiation chapters.



Background information in relation to Chapter 15 – Energy and related to energy efficiency:

The EC Progress Report for Serbia 2016 states that “Serbia continued to implement the energy efficiency *acquis*. Capacity needs to be considerably strengthened, in particular in the Ministry of Mining’s department for energy efficiency and in the building inspectorate... Serbia should therefore in particular: improve alignment with the *acquis*, strengthen capacity and promote investment in energy efficiency and renewable energy as well as achieve cost-reflective electricity tariffs”.

The energy efficiency remains to be in the focus of the Serbian Ministry of Mining and Energy (MoME). Full alignment with the energy efficiency *acquis* has not been achieved yet.

In 2014-2015, the assistance by PLAC I Project was provided to MoME regarding the Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast), in continuation referred to as “Ecodesign Directive”. Among project outputs, recommendations for the transposition of the Ecodesign Directive into the Serbian legal system have been provided. Within PLAC I Project, each article of the Ecodesign Directive has been analysed from the perspective how to transpose it into a Serbian Decree on Ecodesign. PLAC I Project also provided a proposal of the list of delegated acts (implementing measures – IMs), which should be translated and adopted under the Decree on Ecodesign.

In 2016, additional assistance has been provided to MoME by PLAC I Project, delivering a proposal regarding a new article in the Law on Efficient Use of Energy (Law on EUE), by which the Ecodesign *acquis* should be transposed into the Serbian legal framework, a proposal of a Decree on Ecodesign and draft version of several rulebooks, transposing certain delegated acts/IMs into the national legal order.

According to MoME, the Department for Energy Efficiency, numerous articles of the Law on Efficient Use of Energy, including articles on Ecodesign require modifications. Some of the amendments require more time to be elaborated and are being under preparation by a Working Group established by MoME for this purpose. Apart from it, and in parallel to amending the Law on Efficient Use of Energy, there is a need to transpose into rulebooks numerous EU delegated acts/IMs on Ecodesign (existing 25 and new ones to be developed) by the Ministry.

2. Description of the assignment

2.1 Specific objectives

The specific objective of this assignment is to assist the MoME in drafting new set of rulebooks, transposing certain delegated acts/IMs into the national legal order and the list of domestic producers that will have to implement selected delegated acts/IMs.

2.2 Requested services

The Junior NKE is expected to provide the following services:

- a) To draft a list of domestic producers that will have to implement delegated acts/IMs: 932/2012 (Household tumble driers), 617/2013 (Computers and computer servers), 666/2013 (Vacuum cleaners), 813/2013 (Space heaters and combination heaters), 814/2013 (Water heaters and hot water storage tanks) and 66/2014 (Domestic ovens, hobs and range hoods), with the assessment of their business abilities to implement these acts;
- b) To finalise drafts of the rulebooks, by which delegated acts/IMs 932/2012, 617/2013, 666/2013, 813/2013, 814/2013 and 66/2014 should be transposed into national legislation.



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2.3 Outputs

The Junior NKE is expected to deliver the following outputs:

- A list of domestic producers that will have to implement delegated acts/IMs 932/2012, 617/2013, 666/2013, 813/2013, 814/2013 and 66/2014, with the assessment of their business abilities to implement these acts;
- Drafts of 6 rulebooks, by which delegated acts/IMs 932/2012, 617/2013, 666/2013, 813/2013, 814/2013 and 66/2014 should be transposed into national legislation.

2.4 Reporting

The NKE shall provide the following reports by using the templates of the Project:

- Brief Mission Report with description of activities and outputs provided, at the end of each mission under this assignment,
- Final Mission Report, no later than 1 week after completion of tasks under this assignment. This Report will include description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:

- Draft Mission Report shall be submitted to the Team Leader of the Project for review and comments at the end of the mission.
- Final version of the Mission Report prepared in the relevant quality shall be submitted to the Team Leader of the Project for review, comments and final approval. The Report shall be signed by the NKE and the Team Leader responsible for endorsing the Report.
- The Report and all prepared documents shall be submitted in hard copy and electronic version to the Team Leader of the Project.

2.5 Specifics

The NKE shall work under the guidance and follow the instructions of the Team Leader. The NKE shall collaborate with the Project team, other experts involved and representatives of beneficiary institutions and national structures, as relevant.

The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage in the implementation of the Project, depending on the evolving needs of the Project and main beneficiaries. Each of the short-term mission, its timing and duration shall be agreed with the Team Leader prior to each mission.

2.6 Final use of intervention and perspectives for the future

The obligation of Serbia is to comply with the principles of Directive 2009/125/EC according to the Article 109 of the Stabilization and Association Agreement. As envisaged by this assignment, selected parts of EU secondary legislation will be transposed into the national legislation. In the context of Chapter 15 and Chapter 1, it will demonstrate further progress in ensuring compliance of the Serbian national legislation with the EU *acquis*.

At present, there is no on-going or planned TA project in direct relation with the services requested by this ToR. However, the MoME is implementing various projects in the field of energy efficiency. A TA



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project planned under IPA 2016 should result in strengthening of the capacities for the implementation of Ecodesign *acquis* and Energy labelling requirements.

3. Expert input

3.1 Total working days

30 working days (WDs) in total have been planned for this assignment.

3.2 Period of the assignment

October 2017 – (tentatively) March 2018

3.3 Starting day

It is expected that the work will be performed during several missions and starting, at the earliest, from 09 October 2017 onwards. However, the exact starting date will be agreed at a later stage.

3.4 Location/Place of assignment

The NKE has to deliver 100% of the input in Belgrade, Serbia.

3.5 Working language

English

4. Expert Profile

4.1 Qualifications and skills (25 points)

- University degree (where university degree has been awarded on completion of three years' study in an university or equivalent institution) in Electrical Engineering, Mechanical Engineering or similar, relevant to the assignment
- Proficiency in English language
- Computer literacy (MS Office applications)

4.2 General professional experience (25 points)

- Minimum 5 years of professional postgraduate experience in the energy sector in an EU Member State, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- Proven professional experience in the transposition and/or implementation of EU *acquis* in the field of Chapter 15 and related to energy efficiency, preferably to eco design
- Previous professional experience and/or knowledge of the legislation of the Republic of Serbia in the respective area would be an advantage.

5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to SEPLAC@altairasesores.es not later than 17:00 hrs, **11 September 2017**, titled: **“Application for the position – Junior NKE in the area of Energy efficiency”**.

References must be available on request. Only short-listed candidates will be contacted.

The Project is an equal opportunity employer.

All applications will be considered strictly confidential.

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Advertised post is not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.

For more information, please contact Project Manager at Altair Asesores S.L.: m.garcia@altairasesores.es
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