



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

Technical assistance requested:	One (1) Senior Non-Key Expert in the area of State aid No 1
Project Title:	Support to Commission for State aid Control (CSAC),
Ref:	EuropeAid/139349/IH/SER/RS
Service Contract No.:	48-00-0029/2017-28
Main beneficiary:	Ministry of Finance of the Republic of Serbia
Target Beneficiaries:	Commission for State Aid Control and Department for State Aid Control at the Ministry of Finance,
Content of the assignment:	Support the Government of the Republic of Serbia, and in particular the existing State aid control and granting bodies, in further development and implementation of the system of rules and procedures in the area of State aid.
Expert Category:	Senior Non-Key Expert
Duration of the assignment:	30 WDs for SNKE, spent during several missions in the period from April 2019 until (tentatively) November 2019

Project implemented by the Consortium:



Project Office

St. Kneza Miloša 17, 11000 Belgrade Serbia
tel: +381 11 268-10-79
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1. Relevant background information

Background information in relation to Support to Commission for State aid control project:

The overall objective of the project is to further support Serbia's progress on its EU accession path (among others through alignment with *acquis communautaire*) specifically for what relates to Chapter 8- competition Policy.

The Project purpose

Purpose of the project is to support the Government of the Republic of Serbia, and in particular the existing State aid control and granting bodies, in further development and implementation of the system of rules and procedures in the area of State aid.

Their main features can be summarised as follows:

Component 1- Alignment of State aid rules and schemes with *EU acquis*

Result 1: State aid rules and schemes aligned with *EU acquis*

Component 2 – Capacity building of the Department and the Commission for State Aid Control in decision making on solving state aid cases

Result 2: Improved capacity of the Department and the Commission for State Aid Control in decision making and solving state aid cases

Component 3 - Support in improving mechanisms of coordination between Commission, Department and other State aid stakeholders and in increasing awareness on state aid control

Result 3: Improved mechanisms of coordination between Commission, department and other State aid stakeholders and increased awareness on state aid control

Component 0 – Transversal activities - Support activities to the EU accession negotiating team for Chapter 8 in resolving the Opening Benchmarks (activity 0.1) and the management of communication and visibility (0.2)

As one of the most important Project goals which will provide long term sustainability of the results Project emphasis:

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- Institutional Memory is created in public sector of Serbia, shared by a group of educated staff, and a network of people who are involved in state aid issues.

2. Description of the assignment

2.1 Specific objectives

The purpose of this assignment is to provide support and assistance to the Ministry of Finance-Department for State aid control and Commission for State aid control in relation to:

2.3.4 Establishing of a database/ evidence of all beneficiaries of state aid (following the model led by the Ministry of Finance of Slovenia)

Regarding the reporting, the Project wants to **introduce a unique record of state aids listed according to types/ instruments/ grantors/ users/ regions which is based and modeled on the record led by the Ministry of Finance from Slovenia** ("*Evidence prigrasitev*"). Also, the project offers to modernize, rearrange and harmonize the existing record of *de minimis* state aids, led by the Ministry of Finance, with the needs of the DSAC, especially with a view to make it clearer and enabling state grantors direct access to the data base.

The unique records which we propose are:

1. Record of state aid schemes/ individual aid;
2. *De minimis* schemes/ individual aid record

As part of the project and in the frame of the estimated budget, our team will create two databases of granted state aids, as well as provide trainings to all donors regarding the input of data in the joint data-base and provide training to the DSAC to prepare annual reports based on the records.

The listed records will enable automatic production of reviews/ overviews of all parameters for preparation of annual reports. The project also commits to prepare the draft Rulebook on annual reporting.

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Under these terms of reference, the expert will provide support in the following tasks divided in two separate but mutually depending assignments:

1. Assessment of needs and proposing software solution
2. Implementation of proposed and accepted solution and preparation of Manual

Also the expert is expected to provide training on-the-job or within workshops/ conferences on the new established Register/ Data base for state aid.

2.2 Requested services

The Senior NKE is expected to provide the following services:

1. Assessment of the current state of play of data hosting at the Government level (physical software, Cloud or other);
2. Presentation of best practices of data hosting;
3. Presentation of Slovenian model and why it is identified as best solution for Serbian authorities;
4. Proposal of the best solution for hosting data in accordance with legal possibilities;
5. Assessment of needs and IT preconditions for development of proposed data base;
6. Data base development and setup;
7. Basic training and Manual for the DSAC and CSAC of the established system.

2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- **Proposal of Software solution for database for record of state aid schemes/individual aid as well as for *De minimis* schemes/individual aid record, through final report submitted for approval to DSAC**
- **Data base development and setup (and including users' manual)**

2.4 Reporting

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

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- Brief Mission Report with description of activities and outputs provided, at the end of each mission, during which tasks under this assignment have been carried out.
- 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 Reports 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 in 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

As a part of "soft" *acquis*, the state aid rules are among the toughest to understand and implement. This is partially due to the fact that secondary legislation has no strict language as directives usually have (state aid secondary legislation is mainly in form of guidelines, notices, decisions, communications, etc.) and is mainly

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very broad and descriptive; but on the other hand, the Commission is very strict when it comes to implement the notion and the spirit of such legislation.

This is reflected in the road map, which states *“the further legislative alignment is crucial, but at the same time the implementation issue i.e. institutional and capacity building activities and issues related to staff and training i.e. to legal and economic analysis, have to be considerably tackled as well”*.

Strengthening the institutional capacity of the Department for State Aid Control, the CSAC and other relevant authorities in order to enable them to perform their activities concerning decision preparation, notification, **reporting**, monitoring and cooperation between State aid grantors on the one side, and the DSAC and the Commission on the other, has to be carried out through an everyday advisory support as well as a number of on the job trainings.

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The unique records which the Project propose are:

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3. Expert input

3.1 Total working days

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

3.2 Period of the assignment

April 2019 - (tentatively) November 2019

3.3 Starting day

It is expected that the work will be performed during several missions in the period from April 2019 - (tentatively) November 2020 and starting, at the earliest, from 22 April 2019 onwards. However, exact starting date will be agreed at a later stage.

3.4 Location/Place of assignment

Belgrade and home based (up to 10 work days home-based for the data base development)

3.5 Working language

English/ Serbian/ Croatian/ Montenegrin/ Bosnian

4. Expert Profile

Required Candidate Qualifications

The candidate must possess the qualifications and skills as highlighted below.



4.1 Qualification and skills (25 points)

- A level of education which corresponds to completed University studies of at least four (4) years in the field for which the expert is mobilized;
- Good knowledge of requirements, directives, regulations and rules of EU state aid;
- Working knowledge of English language (at least average 2 on a scale of 1 to 5; where 1 – excellent as max and 5 – basic as min);
- Good knowledge of local language – Serbian language will be considered as an asset;

4.2 General professional experience (25 points)

- Minimum 5, preferably 7 years of postgraduate professional experience in the field for which the expert is mobilized;

4.3 Specific professional experience (50 points)

- Minimum 5, preferably 7 years of professional experience in software development and project management of small and large IT projects;
- Minimum of 5 preferably 7 years of relevant working experience with tasks similar to the tasks to be undertaken, preferably gained in the same sector (state aid) and with similar projects to those to be undertaken;
- Experience in IPA region would be considered an asset.

5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to radmila@state-aid.rs and stevan@alternative-consulting.com no later than 15:00 hrs, CET, 22 April, 2019, titled: "Application for the position – Senior NKE in the area of State aid No 1".

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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Republic of Serbia
Ministry of Finance



SUPPORT TO COMMISSION
FOR STATE AID CONTROL



This Project is funded by
European Union

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

For more information and for application, please contact:

Team Leader: Radmila Mihic radmila@state-aid.rs

Project Director: Stevan Pechitch stevan@alternative-consulting.com

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