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Pravna podrška pregovorima - Policy & Legal Advice Centre

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

Technical assistance requested:	1 (one) Senior and Non-Key Expert in the area of Ch. 15, Nuclear safety and Radiation Protection; Drafting a Guidance for management of Disused Sources in radiation practices
Project Title:	Policy and Legal Advice Centre (PLAC III), Serbia
Ref:	EuropeAid/139295/DH/SER/RS
Service Contract No.:	(CRIS) 2018/404-529
Main beneficiary:	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
Target Beneficiaries:	Negotiating Group Ch. 15; Ministry of Energy, The Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM)
Budget Line / Expert Category:	One Senior Non-Key Expert
Duration of the assignment:	10 working days (WD), from October 2019 until December 2019 (10 WD SNKE)

1. Relevant background information

Background information in relation to PLAC III project:

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

The PLAC III 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 the Republic of Serbia by supporting the effective alignment of national legislation with the Union *acquis* and its implementation and by further building the capacities of involved carriers of the EU integration process in the Republic of 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 III 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.

2. Background information in relation to Chapter 15 – Energy and related to radiation protection and nuclear safety area

According to the Screening Report, Chapter 15 - Energy (III.i.), Serbia will need to further adapt its national legislation to reach full alignment with Council Directive 2013/59/Euratom laying down Basic Safety Standards for Protection against the Dangers arising from Exposure to Ionising Radiation and repealing Directives 89/618/Euratom, 90/641/ Euratom, 96/29/Euratom, 97/43/Euratom, and 2003/122/Euratom. Among others, the general responsibilities of the Member States and competent authorities and other requirements for regulatory control, as required by the Directive are partially transposed into Serbian legal framework

According to the third revision of National Programme for Adoption of the Acquis (NPAA), for the period 2018-2021, section 3.15.3, further improvements of the national legislation are planned to comply with requirements of EU acquis in the field of radiation protection and nuclear safety, i.e. with Council Directive 2013/59/Euratom. In this connection, new legislation is planned to be adopted until 2021 (Law – Q1 of 2019 and bylaws by Q4 of 2021).

In December 2018, the Law on Radiation and Nuclear Safety and Security (Official Gazette of the Republic of Serbia, No. 95/18 and 10/19) came into force. The law is partially harmonised with the Council Directive 2013/59/Euratom and a full harmonisation is expected in the next 2 years according to the NPAA. The Law introduced the definition of disused sources and provided with a legal basis for the further establishment of the system of management of disused sources (Article 109). Following Article 109 Directorate shall specify the requirements concerning the management of disused sources.

Currently, Serbian Radiation Protection and Nuclear Safety Agency does not have sufficient professional and administrative capacity for the tasks of transposition/ implementation of Union acquis.

PLAC III assistance is therefore needed to assist the Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM) to further harmonise with the EU requirement as set in EU Directive 2013/59/Euratom. Expert support for the harmonisation of legislation is needed, namely a preparation of a Guidance for management of Disused Sources in radiation practices.

At present, there is no on-going and/or planned assistance projects for the activities covered by this ToR.

3. Description of the assignment:

3.1 Specific objectives

The specific objective of this assignment is to assist the Serbian Radiation and Nuclear Safety and Security Directorate in the establishment of the system of management of disused sources as required by Articles 4 (21) and Chapter IX, Section 2 – *Control of radioactive sources*, of the Council Directive 2013/59/Euratom (Articles 86, 87,88,91 (Annex XV)).

Expert support to SRBATOM is needed in drafting Guideline for the management of disused sources following Article 109 of the Law. The guideline, serving as a tool by the regulatory body, will contribute to the further alignment of Serbian national legislation with Directive 2013/59/Euratom.

3.2 Requested services

The Senior NKE in the area of authorisation of radiation practices is expected to provide the following services:

- To assist the beneficiary (SRBATOM) in drafting Guidance for the management of Disused Sources in radiation practices as required by Articles 4 (21) and Chapter IX, Section 2 of the Council Directive 2013/59/Euratom (Articles 86, 87,88,91 (Annex XV))

3.3 Outputs

The **Senior NKE** is expected to deliver the following outputs:

- A draft Guidance for the management of Disused Sources in radiation practices as required by Articles 4 (21) and Chapter IX, Section 2 of the Council Directive 2013/59/Euratom (Articles 86, 87,88,91 (Annex XV))

3.4 Reporting

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

- **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 SNKE in the context of this assignment.
- A brief interim report - only upon a request of the PLAC III team: TL and/or KE 2

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 reports prepared in the agreed quality shall be submitted to the Team Leader of the Project for a review, comments and the final approval.
- The reports shall be signed by the SNKE and the Team Leader, responsible for endorsing the reports.
- The reports and all prepared documents shall be submitted in a hard copy and electronic version to the Team Leader of the project.

3.5 Specifics

The selected SNKE shall work under the guidance and follow the instructions of the Team Leader. The SNKE shall collaborate with the project team, other experts involved and representatives of the relevant beneficiary institutions.

Each of the short-term missions, the timing and duration shall be agreed with the Beneficiary and the PLAC team prior to each planned mission.

3.6 Expert input

3.6.1 Total working days

10 working days (WDs) in total have been planned for Senior Non-Key Expert for this assignment.

3.6.2 Period of the assignment and Starting day

It is expected that the work will be performed in the period from October 2019 until December 2019 at latest and starting, at the earliest, from 14 October 2019 onwards. However, exact starting date will be agreed at a later stage.

3.6.3 Location/Place of assignment

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

3.6.4 Working language

English

4. Expert's Profile - Senior NKE (10 WD):

4.1 Qualifications and skills (25 points)

- A level of education, which corresponds to completed university studies of at least 3 years attested by a diploma in engineering, science or similar, relevant to the assignment
- Proficiency in English language
- Computer literacy
- Be proficient in report drafting
- Excellent communication and analytical skills
- Be independent and free from conflicts of interest in the responsibilities they take on

4.2 General professional experience (25 point)

- At least 8 (eight) years of general postgraduate professional experience in a competent authority for authorisation of radiation practices, gained in an EU Member State, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- Proven postgraduate professional experience in management of the radiation protection system with disused sources gained in an EU Member State, candidate or potential candidate country.
- Postgraduate professional experience in transposition and/or implementation of Directive 2013/59/Euratom
- Knowledge of Serbian legal system would be an advantage

5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to mbayard@dmiassociates.com and ehoward@dmiassociates.com no later than September 16, 2019, 17:00 hrs, titled: **“Application for the position – Senior NKE in the area of Ch. 15 – Nuclear Safety and Radiation Protection; Drafting a Guidance for management of Disused Sources in radiation practices”**.

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.

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

Please note that all the pre-selected experts are requested to sign a Statement of Availability (SoA) in which they acknowledge and confirm their availability to accomplish this assignment within the indicated period, at the indicated starting date (if any) and within the number of working days requested.

For more information, please contact Project Manager at DMI Associates Marion Bayard: mail to mbayard@dmiassociates.com or Elizabeth Howard ehoward@dmiassociates.com