



## Policy and Legal Advice Centre (PLAC IV)

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

#### No. 48

<b>Technical assistance requested:</b>	Two (2) Senior Non-Key Experts in chemical management
<b>Project Title:</b>	Policy and Legal Advice Centre (PLAC IV)
<b>Ref:</b>	NEAR/BEG/2023/EA-RP/0175
<b>Service Contract No:</b>	(CRIS) 2024/453-315
<b>Main project beneficiary:</b>	Ministry of European Integration (MEI)
<b>Direct beneficiary of the assignment:</b>	Ministry of Environmental Protection (MEP)
<b>Content of the assignment:</b>	Technical assistance to ensure drafting of the amendments to the Law on Chemicals and the Rulebook on Amendments to the Rulebook on Chemical Advisors and the Conditions for Training and Examination of the Chemical Advisors
<b>Budget Line/Expert category</b>	Senior Non-Key Expert
<b>Duration of the assignment</b>	80 Senior NKEs working days (40 WDs for SNKE 1 and 40 WDs for SNKE 2), to be spent in the period October 2025 – April 2026

#### 1. Background information in relation to the PLAC IV project

The overall objective of the PLAC IV is for the Serbian administration to effectively conduct accession negotiations and successfully manage overall EU integration and pre-accession assistance geared towards EU membership.

The purpose of the project is: "to achieve a high level of effective alignment of national legislation with the Union acquis and its implementation".

PLAC IV should achieve two results:

- R1: Enhanced compatibility of national legislation with EU legislation and its effective implementation.
- R2: Enhanced capacities of relevant national structures for the successful carrying out of accession negotiations

The legislative framework for placing chemicals on the market in the Republic of Serbia is regulated by the Law on Chemicals ("Official Gazette of the RS" Nos. 36/09, 88/2010, 92/2011, 93/2012, and 25/15), as well as by secondary legislation. The law is harmonised with the REACH Regulation as much as possible for an EU non-member country.

Serbian Law on Chemicals needs to be amended, especially in the parts regarding Chemical Registry, Chemical Advisor, and particularly hazardous chemicals.

Due to the limited capacity in the Department for Legal Affairs within the Ministry of Environmental Protection (hereafter: MEP), drafting amendments to the Law on Chemicals should be entrusted to an external legal expert. It is also necessary to engage a technical expert. Both experts will draft amendments to the Law on Chemicals and the Rulebook on Chemical Advisors.

During the negotiation process with the European Commission, several recommendations and benchmarks were identified in relation to the NGs groups 1, 3, 27, and 28. Therefore, additional amendments to the current Law on Chemicals will be needed to fulfil above mentioned requirements from negotiation process as well as additional harmonisation of national Chemicals Law with latest amendments to EU chemicals legislations and consolidated version of following regulations: REACH Regulation (EC) No 1907/2006, CLP Regulation (EC) No 1272/2008, PIC Regulation (EU) No 649/2012, Regulation on mercury (EU) No 2017/852, POPs Regulation (EU) No 2019/1021. Additionally, the Rulebook on Chemical Advisors and the Conditions for Training and Examination of Chemical Advisors need to be amended in accordance with the requirements of directives falling under the Negotiation Chapter 3, i.e., the Services Directive and the Directive on Mutual Recognition of Professional Qualifications, considering the recommendations of experts from previous PLAC projects.

There is no overlapping between this project and any ongoing and/or planned assistance projects for the activities covered by this ToR.

## **2. Description of the assignment**

### **a. Specific objectives**

The specific objective of this assignment is to provide expert assistance to ensure drafting of the amendments to the Law on Chemicals and Rulebook on Amendments to the Rulebook on Chemicals Advisors and the Conditions for Training and Examination of the Chemical Advisors.

### **b. Requested services**

The requested Senior NKEs are expected to provide the following services:

- a) Preparation of a gap analysis of the current Law on Chemicals, encompassing the following:
  - i. Analysis of recommendations and benchmarks from Negotiation chapters 1,3, 27 and 28.
  - ii. Analysis of needs for additional harmonization of provisions of the Law on Chemicals with the amendments of EU legislation on chemicals management (consolidated versions of the following EU legal acts: REACH Regulation (EC) No 1907/2006, CLP Regulation (EC) No 1272/2008, PIC Regulation (EU) No 649/2012, Regulation on mercury (EU) No 2017/852, POPs Regulation (EU) No 2019/1021 and Regulation on detergents (EC) No 648/2004, according to the requirements of Negotiation chapter 27;
  - iii. Analysis of needs for additional harmonization of the provisions of the Law on Chemicals with provisions of the following EU directives: Directive 2006/123/EC on services in the internal market, Directive 2005/36/EC on the

recognition of the professional qualifications and Directive 74/557/EEZ considering recommendations of experts from previous PLAC projects and in accordance with the requirements of Negotiation Chapter 3;

- iv. Analysis of the division of competences and coordination in the inspection supervision over the implementation of the provisions of the Law on Chemicals and providing recommendations for amendments of the Law on Chemicals to improve its implementation (Negotiation chapter 28);
  - v. Analysis of the needs for additional provisions related to the legal base for the national chemicals management policy;
  - vi. Analysis of the national provisions of the Law on Chemicals.
- b) Preparation of the first Draft Law on Chemicals;
  - c) Preparation of additional documents needed to carry out the procedure for adoption of the new law - Legal bases, Explanatory report, Analysis of effects - RIA, Table of Concordance (if needed) and others;
  - d) Assistance during the process of public consultations;
  - e) Assistance in the consideration and incorporation of the opinions of other ministries in the preparation of the final draft Law on Chemicals;
  - f) Preparation of the final Draft Law (as amended in response to the opinions received) and all the required associated material;
  - g) Preparation of draft amendments to the Rulebook on Chemical Advisers and the Conditions for Training and Examination of the Chemical Advisers in accordance with the requirements of directives falling under the Negotiation Chapter 3.

### 3. Outputs

The outputs delivered by the NKEs shall be as follows:

#### SNKE 1

- Gap analysis conducted concerning the following:
  - Analysis of benchmarks and recommendations in Chapters 27 and 28
  - Analysis of needs for additional harmonisation of provisions of the Law on Chemicals with the amendments of EU legislation on chemicals management
  - Analysis of the national provisions of the Law on Chemicals;
- First draft of the Law on Chemicals prepared;
- Rulebook on Chemical Advisor drafted.

#### SNKE 2

- Gap analysis conducted concerning the following:
  - Analysis of the benchmarks and recommendations from Negotiation Chapters 1 and 3;
  - Analysis of needs for additional harmonisation of the provisions of the Law on Chemicals with the following EU directives: Directive 2006/123/EC on services in the internal market, Directive 2005/36/EC on the recognition of the professional qualifications and Directive 74/557/EEZ;

- Analysis of the division of competences and coordination in the inspection supervision over the implementation of the provisions of the Law on Chemicals, and providing recommendations for amendments of the Law on Chemicals to improve its implementation;
  - Analysis of the needs for additional provisions related to the legal base for the national chemicals management policy.
- Associated documents to the draft amendments to the Law on Chemicals (explanatory report, RIA report, public consultations report and table of concordance, if necessary) prepared;
  - Final draft law prepared in line with Serbian legal techniques, incorporating amendments after the public discussion of the draft law and after obtaining opinions of other ministries.

#### **4. Reporting**

The Senior NKEs 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 month, in 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 a description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:

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

#### **5. Specifics**

The Senior NKEs shall collaborate with the Project Technical Assistance Team throughout the assignment. The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage of the Project's implementation, depending on the evolving needs of the Project and the main beneficiary.

The Senior NKEs shall ensure that drafting activities are aligned with the Ministry of Environmental Protection. The Senior NKEs shall closely coordinate the activities with assigned representatives of the institutions and others, as relevant, to ensure that aspects related to implications of EU integration for Serbia are incorporated into all activities carried out by the Project.



## 6. Expert's input

Total working days	80 Senior working days (WDs) have been planned for this assignment - 40 WDs for SNKE 1 and 40 WDs for SNKE2.
Period of the assignment	October 2025 – April 2026
Starting day	It is anticipated that the work will commence in October 2025. However, the exact starting date will be agreed upon at a later stage.
Location/place of assignment	The base of operation will be in Belgrade, Serbia, and office facilities will be provided by the Project.
Working language	English/Serbian

## 7. Experts' profile

Senior NKE 1	
<b>Qualification and skills (25 points)</b>	<ul style="list-style-type: none"> <li>• A level of education, which corresponds to completed university studies of at least four (4) years, attested by a diploma, such as chemistry, preferably an advanced degree in toxicology, or a similar qualification relevant to the assignment.</li> <li>• Computer literacy</li> <li>• Be proficient in report drafting</li> <li>• Excellent communication and analytical skills</li> <li>• Proficiency in the English language</li> <li>• Be independent and free from conflicts of interest in the responsibilities they take on</li> </ul>
<b>General professional experience (25 points)</b>	<ul style="list-style-type: none"> <li>• At least 10 (ten) years of general postgraduate professional experience gained in the EU member state or candidate country, related to the assignment.</li> </ul>

<b>Specific professional experience (50 points)</b>	<ul style="list-style-type: none"> <li>• At least 5 (five) years of postgraduate professional experience in transposing or/and harmonising and implementing EU legislation in the EU or candidate countries;</li> <li>• Postgraduate professional experience in drafting or implementing legislation in the field of chemical management;</li> <li>• Knowledge of the EU acquis related to the free movement of goods and services will be an advantage;</li> <li>• Previous professional experience and/or knowledge of the Serbian legal system will be an advantage.</li> </ul>
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Senior NKE 2	
<b>Qualification and skills (25 points)</b>	<ul style="list-style-type: none"> <li>• A level of education, which corresponds to completed university studies of at least four (4) years, attested by a diploma such as law, environmental law or similar, relevant to the assignment, and an advanced degree is preferable.</li> <li>• Computer literacy</li> <li>• Be proficient in report drafting</li> <li>• Excellent communication and analytical skills</li> <li>• Proficiency in the English language</li> <li>• Be independent and free from conflicts of interest in the responsibilities they take on</li> </ul>
<b>General professional experience (25 points)</b>	<ul style="list-style-type: none"> <li>• At least 10 (ten) years of general postgraduate professional experience gained in an EU member state or candidate country, related to the assignment.</li> </ul>
<b>Specific professional experience (50 points)</b>	<ul style="list-style-type: none"> <li>• At least 5 (five) years of postgraduate professional experience in transposing or/and harmonising and implementing EU legislation in the EU or candidate countries;</li> <li>• Postgraduate professional experience in drafting legislation in the field of chemical management;</li> <li>• Knowledge of the EU acquis related to free movement of goods and services would be an advantage;</li> </ul>



	<ul style="list-style-type: none"><li>• Previous professional experience and/or knowledge of the Serbian legal system will be an advantage.</li></ul>
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## 8. Applications

Applications (EU format CV and application letter, using this format:

[www.ibf.be/public/events/17822/TEMPLATE\\_CV\\_EN\\_for\\_online\\_applications.docx](http://www.ibf.be/public/events/17822/TEMPLATE_CV_EN_for_online_applications.docx)) need to be submitted by e-mail to [domi@ibf.be](mailto:domi@ibf.be) with a copy to [bortolameazzi@ibf.be](mailto:bortolameazzi@ibf.be) by 17:00 hrs, 8/10/2025, titled: "Application for the position – Senior Non-Key Expert in the area of chemical management".

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

The Project is an equal opportunity employer that encourages applications from women and minorities. All applications will be considered strictly confidential.

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

Please note that pre-selected experts are requested to sign a Statement of Availability (SoA) to 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 the Project Director at IBF: [bortolameazzi@ibf.be](mailto:bortolameazzi@ibf.be).