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

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| Technical assistance requested: | One (1) Senior Non-Key Expert in the area of security of gas supplies |
| 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 drafting of a proposal on Preventive Action Plan and Emergency Plan in order to comply with Regulation (EU) 994/2010 |
| Budget Line / Expert Category: | Senior Non-Key Expert |
| Duration of the assignment: | 30 WDs, spent during several short-term missions in the period from November 2016 until (tentatively) February 2017 |

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 oil and gas area:

In scope of Chapter 15, Serbia is obliged to align its national legislation with the EU acquis, in particular EU Regulation (EU) 994/2010. Regarding Security of gas supply Serbia has already reached a high degree of alignment in this area. Serbia is implementing its Energy law and associated by-laws, which have been harmonised with Directive 2005/89/EC concerning measures to safeguard security of electricity supply and infrastructure investment and measures to safeguard security of natural gas supply in relation to



Regulation (EU) 994/2010. In accordance with obligations undertaken by the Stabilization and Association Agreement, Serbia in its Energy Law provided for the adoption of the Preventive Action Plan and Emergency Plan as well.

2. Description of the assignment

2.1 Specific objectives

In the area of security of gas supply in accordance to Regulation (EU) 994/2010, Serbia needs to establish and implement the Preventive Action Plan and the Emergency Plan, which will define clear roles and responsibilities for all natural gas undertakings, and Competent Authorities regarding both preventive actions and reactions to concrete disruption of supply. The Preventive Action Plan and the Emergency Plan should define measures to ensure the security of gas supply: by ensuring the proper and continuous functioning of the internal market in natural gas, by allowing for exceptional measures to be implemented when the market can no longer deliver the required gas supplies, and by providing for a clear definition and attribution of responsibilities among natural gas stakeholders. Those measures should be transparent, proportionate, non-discriminatory and verifiable and shall not unduly distort competition and the effective functioning of the internal market in gas. Serbia has to designate the Competent Authority that will be responsible for ensuring the implementation of these measures and future implementation of the Regulation.

The specific objective of this assignment is to prepare a proposal of draft Preventive Action Plan and draft Emergency Plan in accordance with Serbian Energy Law and Regulation (EU) 994/2010.

2.2 Requested services

The Senior NKE is expected to provide the following services:

- a) To analyse situation in Serbian gas market;
- b) To establish the standard of supply in accordance with Article 8 of Regulation 994/2010;
- c) To calculate the infrastructure standard N-1, which shows the ability of the technical capacity of the gas pipeline system in accordance with Annex 1 of Regulation 994/2010;
- d) To assess the risks affecting the security of natural gas supply in accordance with Regulation 994/2010;
- e) To propose a general methodology for identification, analysis and evaluation of risks;
- f) To propose measures to mitigate identified risks;
- g) To draft first version of Preventive Action Plan and Emergency Plan.

2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- First version of draft Preventive Action Plan, which will contain an assessment of risks in terms of achieving security of natural gas supply, as well as measures to mitigate the identified risks in order to meet the total demand for natural gas supply and provision of protected final customers of natural gas, in accordance with Regulation 994/2010;



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- First version of draft Emergency Plan, which sets out measures and energy operators responsible for ensuring the security of the transmission system and the security of energy gas supply to vulnerable customers, the quantity and capacity of natural gas in case of general shortage of natural gas, in accordance with Regulation 994/2010.

2.4 Reporting

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

- Brief Mission Reports 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 Senior 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 to comply with the principles of Regulation (EU) 994/2010 is defined by Article 109 of the Stabilization and Association Agreement. During this assignment, the necessary analysis will be done and preconditions defined, in order to prepare for the establishment and adoption of Preventive Action Plan and Emergency Plan. In the context of Chapter 15, it will demonstrate further progress in ensuring compliance of Serbian national legislation with the EU acquis.

Serbia has envisaged the adoption of Preventive Action Plan and Emergency Plan in the Second revision of the NPAA under title 3.15.1 Energy Market and Security of Supply, that is to be adopted by the Government. According to the Second revision of the NPAA, the adoption of the above-mentioned documents is planned for the first quarter of 2017.

3. Expert input

Project implemented by
Projekat sprovodi



in consortium with: IRZ, European Profiles,
u konzorcijumu sa: Eurosupport and Eptisa



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3.1 Total working days

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

Additional number of WDs may be allocated for this ToR, should the needs of target beneficiary require an extension for the activities mentioned in this ToR.

3.2 Period of the assignment

November 2016 – (tentatively) February 2017

3.3 Starting day

It is expected that the work will be performed during short-term missions in the period from November 2016 to February 2017 (at the latest) and starting, at the earliest, from 21 November 2016 onwards. However, exact starting date will be agreed at a later stage as well as the exact dates of the following missions.

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)

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

4.2 General professional experience (25 points)

- Minimum 10 preferably 12 years of postgraduate professional experience in the field of energy

4.3 Specific professional experience (50 points)

- Proven postgraduate professional experience in the field of gas energy markets, in assessing risks affecting the security of natural gas supply and drafting of Preventive Action Plan and Emergency Plan in accordance with EU energy acquis, gained in an EU member state, candidate or potential EU candidate country
- Previous professional experience, and/or knowledge of the legislation, of the Republic of Serbia in the respective area would be an advantage.



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5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to SEPLAC@altairasesores.es no later than 17:00 hrs, 02 November 2016, titled: **“Application for the position – Senior Non-Key Expert in the area of security of gas supplies”**

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 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
/ Tel. +34 91 3952798