



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

<b>Technical assistance requested:</b>	One (1) Junior Non-Key Expert in the area of free movement of goods (type-approval and market surveillance of agricultural and forestry vehicles)
<b>Project Title:</b>	Policy and Legal Advice Centre (PLAC II), Serbia
<b>Ref:</b>	EuropeAid/137065/DH/SER/RS
<b>Service Contract No.:</b>	(CRIS) 2016/375-724
<b>Main beneficiary:</b>	The Ministry of European Integration and the Negotiating Team
<b>Target Beneficiaries:</b>	Representatives of the Ministry of Construction, Transport and Infrastructure and the Road Traffic Safety Agency - Approval Department
<b>Content of the assignment:</b>	Assistance in the development of market surveillance policy framework for agricultural and forestry vehicles, in line with EU Regulation 167/2013 on the approval and market surveillance of agricultural and forestry vehicles, and training of relevant administrative structures in the implementation aspects of the EU Regulation 167/2013
<b>Budget Line / Expert Category:</b>	Junior Non-Key Expert
<b>Duration of the assignment:</b>	10 working days, spent during up to two missions in the period from September until (tentatively) October 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 1 – Free movement of goods:

In the Screening Report for Chapter 1 – Free Movement of Goods it is recommended that this Chapter be opened for negotiations once the two benchmarks are met, one of them being presenting to the Commission of a Strategy and an Action Plan with milestones for the implementation of the EU legislation in this Chapter, which should cover both the vertical (New Approach and Old Approach) and horizontal legislation (standardization, accreditation, metrology and market surveillance).

In the Screening Report, it is stated that Serbia's current legislation on market surveillance in general, is partly aligned with the *acquis*. Also, Serbia stated that its legislation is not aligned with the (Old Approach Product Legislation) Union *acquis* on motor vehicles, including the *type-approval and market surveillance of agricultural and forestry vehicles*.

2018 Report of the European Commission for Serbia stated that "In the field of "Old Approach" product legislation, the legislation on tractors, motor vehicles, non-road mobile machinery emissions is not in line with EU law".

Serbia's domestic legal framework has no legal acts that would ensure alignment with this *acquis* so far, even though it has a long experience of the implementation of Automotive Technical Requirements (of the European Union and the United Nations Economic Commission for Europe/UNECE) and relevant technical services. It is necessary that Serbia adopts a legal framework for the alignment with the *acquis* in this area.

The entity responsible for both legal alignment and market surveillance is the Serbian Road Traffic Safety Agency (RTSA). The RTSA is the Approval Authority of Serbia for wheeled vehicles, equipment and parts according to the 1958 UN Agreement; it grants approval and authorises testing laboratories (technical services) pursuant to certain UN Regulations. New complete vehicles, new completed vehicles on WVTA<sup>1</sup> approved chassis', and automotive equipment and parts are produced in Serbia. Serbia has adopted 57 UNECE Regulations and notified another 32, and it has seven laboratories in this area.

The relevant Union *acquis* with which Serbia has to harmonise in this particular area is the Regulation (EU) 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (which repealed Directive 2003/37/EC from 1 January 2016).

The activity has been planned in the revised version of NPAA for 2018-2021, under Chapter 1 - Free movement of goods (3.1.2.2.).

## 2. Description of the assignment

### 2.1 Specific objectives

The specific objective of this assignment is to provide assistance to the representatives of the Ministry of Construction, Transport and Infrastructure (MCTI) and the Road Traffic Safety Agency (RTSA) and its Approval Department in harmonisation with Regulation (EU) 167/2013 on the approval and market surveillance of agricultural and forestry vehicles, including related European Commissions' Implementing Regulations.

### 2.2 Requested services

The Junior NKE is expected to provide the following services:

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<sup>1</sup> Whole Vehicle Type Approval



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- a) To prepare suitable training material and run thematic training for the representatives of the MCTI and RTSA – AD in the requirements and implementation aspects of the Regulation (EU) 167/2013 on the approval and market surveillance of agricultural and forestry vehicles, including related European Commissions' Implementing Regulations; training should include examples of practices followed by Member States in the transposition and implementation of respective Union legislation;
- b) To identify gaps of the current national system on the approval and market surveillance of agricultural and forestry vehicles, compared with the EU system, as prescribed by the EU Regulation 167/2013 and the corresponding Implementing Regulations of the European Commission and provide advice regarding suitable national market surveillance policy framework in this area, in compliance with requirements of respective Chapter 1 Union acquis.

### 2.3 Outputs

The Junior NKE is expected to deliver the following outputs:

- Training material that is suitable and practical for the representatives of the MCTI and RTSA – AD on the requirements of Regulation (EU) 167/2013, including related European Commissions' Implementing Regulations, and its implementation, illustrated by examples of some Member States;
- Delivery of training during one day-training event (workshop or internal training) for the representatives of the MCTI and RTSA – AD;
- Report on the analysis of the national system on the approval and market surveillance of agricultural and forestry vehicles, compared with the EU system, as prescribed by the Regulation 167/2013 and the corresponding Implementing Regulations of the European Commission, including a proposal on the national market surveillance policy framework in this area, suitable to accommodate relevant Union acquis requirements in the near future.

### 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 reports 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, main beneficiary and/or target 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 assistance planned under this assignment is in direct relation with the benchmark for Chapter 1. It will contribute to better preparedness of Serbia for the harmonisation with relevant Union acquis on the approval and market surveillance of agricultural and forestry vehicles and facilitate capacity building of national structures in charge for the transposition of respective Chapter 1 Union acquis into the national legislation and its implementation in future.

## 3. Expert input

### 3.1 Total working days

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

### 3.2 Period of the assignment

September until (tentatively) October 2018

### 3.3 Starting day

It is expected that the work will be performed during up to two missions and starting, at the earliest, from 03 September 2018 onwards. However, 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 at university or equivalent institution) in Mechanics, Transport or similar, relevant to the assignment
- Proficiency in English
- Computer literacy (MS Office applications)

### 4.2 General professional experience (25 points)

- Minimum 3, preferably 5 years of postgraduate professional experience in standardisation and/or market surveillance sector, related to Chapter 1, gained in an EU Member State or candidate country



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#### 4.3 *Specific professional experience (50 points)*

- Proven postgraduate professional experience in drafting national legal and/or strategic documents and action plans in the field of Chapter 1 Union acquis, preferably in the type-approval of motor vehicles area, gained in an EU Member State, candidate or potential candidate country
- 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](mailto:SEPLAC@altairasesores.es) no later than 17:00 hrs, **17 June 2018**, titled: **“Application for the position – Junior NKE in the area of free movement of goods (type-approval and market surveillance of agricultural and forestry vehicles)”**.

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](mailto:m.garcia@altairasesores.es) / Tel. +34 91 395279.