



Policy and Legal Advice Centre (PLAC IV)

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

No. 35

Technical assistance requested:	1 (one) Senior Non-Key Expert in the area of Recognition of professional qualifications and freedom to provide services in the field of planning and construction - Negotiating Ch. 3
Project Title:	Policy and Legal Advice Centre (PLAC 4)
Ref:	NEAR/BEG/2023/EA-RP/0175
Service Contract No:	(CRIS) 2024/454-315
Main beneficiary:	The Ministry of European Integration (MEI)
Direct beneficiary	The Ministry of Education
Content of the assignment:	Technical assistance to the Ministry of Education (MoE) to fully harmonise the Law on regulated professions and recognition of professional qualifications with Directive (EU) 2018/958
Budget Line/Expert category	Non-Key Short-Term Senior Expert
Duration of the assignment	20 working days, from October 2025 until December 2025

1. Background information in relation to the PLAC IV project

The overall objective of the PLAC 4 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 project's purpose is to achieve a high level of effective alignment of national legislation with the Union acquis and its implementation.

PLAC 4 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 successful carrying out of accession negotiations

In general, the project aims to foster the accession negotiations of the Republic of Serbia by supporting the effective alignment of national legislation with the Union acquis and its implementation, as well as by further building the capacities of institutions in the Republic of Serbia involved in the EU integration process. After completing the screening process in 2015, the Serbian public administration entered a more demanding and rigorous exercise of accession negotiations, whereby each step and every decision should lead to closer



approximation to actual membership in the EU. For this scenario to unfold according to planned dynamics, preparedness and adequate institutional capacity within the public administration, along with highly competent staff, are crucial. During the core period of the negotiations, the PLAC 4 Project will support national line institutions and the negotiating structures in performing high-quality operational work in relation to the harmonisation process and effective coordination across various stages and phases of the process for different negotiation chapters.

In the Republic of Serbia, the Ministry in charge of Chapter 3 is the Ministry of Internal and Foreign Trade-MIFT. Other ministries are also involved in the harmonisation of the Republic of Serbia - RS legislation with Chapter 3 acquis (covering acquis areas of services, mutual recognition of professional qualifications and postal services) such as the Ministry of Education - ME, responsible for sub-chapter Professional qualifications, Ministry of Health, Ministry of Justice, Ministry of Finance, Ministry of Agriculture, Forestry and Water Management, Ministry of Construction, Transport and Infrastructure as well as other relevant institutions.

In connection with one of the opening benchmarks, the Programme on Professional Qualifications, along with its Action Plan (hereinafter referred to as the Programme), was adopted by the Serbian Government and the EC. Serbia was invited to prepare the Negotiation position in 2018. By the date of accession to the EU, all outstanding parts of Chapter 3 of the acquis will have to be transposed into Serbian legislation, addressing the requirements of three general areas of the acquis.

At present, there are no 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 assist the competent Serbian institutions in the process of full transposition and implementation of **Directive (EU) 2018/958 on a proportionality test before adoption of new regulation of professions** into the national legal system. This activity supports Serbia's obligations under the EU accession process, particularly within Negotiating Chapter 3 – Right of Establishment and Freedom to Provide Services, and contributes to overall alignment with the Union acquis governing regulated professions.

The Directive requires that any new or amended national rules restricting access to or the pursuit of regulated professions be justified and proportionate. Therefore, this assignment aims to provide horizontal support for the development of a consistent, structured and legally sound methodology and legislative framework for applying proportionality assessments across all sectors of regulated professions in Serbia. The assistance will enhance Serbia's legal preparedness and ensure the effective application of the proportionality principle in line with the EU acquis.

ME needs expert support in drafting harmonised legislation in the planning and construction sector to fully harmonise it and accurately anticipate the implications of its implementation regarding the establishment and freedom to provide services in this field.

b. Requested services

The Senior NKE is expected to deliver the following services:

1. Conduct a comprehensive review of the current regulatory framework for regulated professions in Serbia, with a focus on mechanisms for adopting and amending regulation affecting professional access and activity;
2. Analyse gaps between the existing legal framework and the requirements of Directive (EU) 2018/958;
3. Provide recommendations for establishing a **horizontal mechanism** for performing proportionality assessments before the introduction of new or amended regulation of professions;
4. Support drafting of a **draft legal act** (e.g. law or bylaw) that ensures systematic application of the proportionality test in line with the Directive;
5. Prepare a **Table of Concordance** (ToC) on the harmonisation of the draft legal act with the Directive;
6. Present the findings and legal solutions in a workshop with representatives of relevant public institutions, regulatory bodies, and the Ministry of European Integration.

c. Outputs

The expected outputs of the assignment are:

- A gap analysis report with clear identification of necessary legal and procedural changes;
- A draft legal act or draft amendments introducing the proportionality test mechanism;
- Table of Concordance with Directive (EU) 2018/958;
- Delivery of a workshop and presentation of proposed legal solutions and methodology to stakeholders.

d. Reporting

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

- Brief Mission Report with a 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 one week after completing 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 NKE and the Team Leader responsible for endorsing them.
- The reports and all prepared documents shall be submitted to the project Team Leader in hard copy and electronic form.

e. Specifics

The Senior Expert shall collaborate with the Project Technical Assistance Team to prepare and implement activities in accordance with the Terms of Reference (ToR). The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage in the Project's implementation, depending on the evolving needs of the Project and main beneficiary.

The Senior Expert shall ensure that outputs align with the requested services. The Senior



Expert shall closely coordinate the activities with ME and others, as relevant, to ensure that aspects related to the implications of EU integration for Serbia are incorporated into all activities carried out by the Project.

3. Expert's input

Total working days	20 working days (WDs) have been planned for this assignment. An additional number of WDs may be allocated for this ToR should the needs of the main beneficiary require an extension for the activity areas mentioned in this ToR.
Period of the assignment	October 2025 – December 2025
Starting day	The work is expected to be performed from October 2025 onward. However, the exact starting date will be agreed upon later.
Location/place of assignment	The base of operation will be in Belgrade, Serbia, and the Project will provide office facilities.
Working language	English

4. Expert's profile

Qualification and skills (25 points)	<ul style="list-style-type: none"> • Relevant university degree, preferably in fields related to law, architecture and engineering; • Excellent analytical, interpersonal and communication skills • Computer literacy (MS Office applications)
General professional experience (25 points)	<ul style="list-style-type: none"> • Minimum 8 (eight) years of relevant professional experience • Postgraduate professional experience in the field of harmonisation of national legislation concerning EU acquis in the area of recognition of professional qualifications and freedom to provide services
Specific professional experience (50 points)	<ul style="list-style-type: none"> • At least 3 (three) preferably 5 (five) years of experience in the area of recognition of professional qualifications and freedom to provide services • Professional experience in the field of planning and construction or regulation of the profession of architect would be an advantage



5. Applications

Applications (EU format CV in English using this format: www.ibf.be/public/events/17822/TEMPLATE_CV_EN_for_online_applications.docx) need to be submitted by e-mail to domi@ibf.be with a copy to bortolameazzi@ibf.be no later than **17:00 hrs, 16 June 2025**, titled: "Application for the position – 1 (one) Senior Expert in the area of Recognition of professional qualifications and Freedom to provide services in the field of planning and construction, EU Negotiating Ch. 3".

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 public administration officials in Serbia, the beneficiary country.

For more information, please contact the Project Director at IBF: bortolameazzi@ibf.be.