

Section 5. Terms of Reference

SUBPROJECT 3 has four components: (i) micro, small, and medium-sized enterprises (MSME) development policy, strategy and incentive framework, and management of cost-sharing facility (CSF); (ii) capacity building for introduction of regulatory impact assessment (RIA); (iii) establishment of a central registry for secured transactions; and (iv) planning and organizing for the establishment of product standards and capacity building for regulating and implementing agencies. For each component, one consulting firm will be engaged in accordance with the quality and cost-based selection method.

Component 4: Planning and Organizing for the Establishment of Product Standards and Capacity Building for Regulating and Implementing Agencies

1. Standards, Metrology, Testing, and Quality Specialist, Team Leader (international, 6 person-months)

1. The international consultant must have extensive experience in the area of standards, quality, and conformity assessment and have a solid understanding of the World Trade Organization (WTO) system in the evolving global economy. Special requirements include (i) thorough knowledge of international trade rules and the WTO Sanitary and Phytosanitary Standards agreement; (ii) thorough knowledge of international practices regarding the organizational structure of national standards authorities; (iii) experience in capacity building in the areas of the WTO Technical Barrier to Trade and Sanitary and Phytosanitary Standards agreements; (iv) experience in food regulations at the international (World Health Organization food standards of Codex Alimentarius) and European (European Commission practices of the Directorate General for Health Consumer Affairs) levels; (v) experience in food testing, food inspection and implementation of hazard analysis and critical control points, good manufacturing practice, and good hygiene practice; and (vi) experience in managing projects and dealing with the local administration in an Asian country is an advantage. Tasks and responsibilities include consultancy and preparing reports on the following activities.

- (i) Conduct in-depth consultation with the Standards and Quality Control Authority (SQCA) and other relevant stakeholders for producing a restructured organization plan for the National Standards Bureau and a roadmap for the transition from SQCA to its successor National Standards Bureau (established under the Standards Act 2009).
- (ii) Produce a list of prioritized actions for the first 3 years of operation of the National Standards Bureau, and provide guidelines for the achievement of each of these prioritized actions.
- (iii) Provide a through training on development, formulation and adoption of National Standards and Conformity Assessment Procedures to the staff of SQCA.
- (iv) Develop a Scheme for Product Certification for SQCA product certification activities.
- (v) Map the role of all institutions involved in the Bhutan standards, metrology, testing, and quality (SMTQ) system and recommend how to improve efficiency and division of tasks.
- (vi) Review the existing structure of laboratories and elaborate an investment plan, taking into account outsourcing possibilities to neighboring countries.

- (vii) Assist the Bhutan Agricultural and Food Regulatory Authority (BAFRA) with the production of a list of 3 years of prioritized actions, and estimate additional staff requirements and qualifications.
- (viii) Recommend solutions to overcome BAFRA capacity constraints.
- (ix) Provide in-house training and plan overseas training programs for SQCA, BAFRA, and other stakeholders to obtain practical knowledge and skills relating to standards and quality control.

2. Legal Specialist (international, 2 person-months)

2. The legal expert will have over 10 years of experience in the area of international practices related to SMTQ and have a solid understanding of the WTO system and the evolving global economy. Special requirements include (i) extensive international knowledge of legislation related to WTO's Technical Barrier to Trade and Sanitary and Phytosanitary Standards agreements; (ii) proven experience in reviewing existing legislation related to SMTQ, including metrology and product requirements; and (iii) experience in drafting legal texts. Tasks and responsibilities include consultancy and preparing reports on the following activities.

- (i) Review the legal framework related to the establishment of an SMTQ system in Bhutan.
- (ii) Identify gaps based on comparison with international practice.
- (iii) Discuss the gaps in consultation with all relevant stakeholders and provide a commonly approved action plan for remedy action.
- (iv) *Drafting of Statutes and By-Laws for the establishment of Bhutan Standards Bureau (BSB) as required by the Bhutan Standards Act 2009 including regulations to implement the Standards Act.*
- (v) Assist the Government in revising or redrafting existing laws or drafting necessary rules and guidelines on the request of the Government.

3. Standards Expert (national, 8 person-months)

3. The national standards expert will have a university degree, a thorough understanding of the history and development of the Bhutanese standards, and knowledge of sector products, e.g., agriculture, manufacturing, services, and tourism. The national expert will have experience working with international organizations, and must be proficient in English. The expert will work closely with the international SMTQ specialist and the international legal specialist. The national expert will undertake the following tasks:

- (i) Under the guidance of the international specialists, collect and analyze information and data relating to standards of products and WTO requirements, and make these available in an organized and readable form. Translate into English as necessary.
- (ii) Arrange and organize trainings and stakeholder meetings, and assist in implementing discussions.