**TERMS OF REFERENCE FOR THE LEGISLATIVE DRAFTING PANEL**

1.0 **BACKGROUND**

1.1 The Ministry of Trade is mandated with developing and implementing policies to promote industry, investment, trade, cooperative businesses, and micro, small, and medium enterprises (MSMEs). It also ensures standards and consumer protection across sectors.

1.2 To effectively fulfill these responsibilities, the Ministry requires robust legislation to guide policy implementation. Recognizing the critical need for legal support, the Ministry is establishing a Legislative Drafting Panel.

1.3 This Panel will assist in drafting new legislation, amending existing laws, and ensuring all drafts are aligned with the requirements of and approved by the Office of the Solicitor General.

1.4 The initiative is crucial to bridge resource and expertise gaps in the legislative process, ensuring timely and effective policy implementation.

2.0 **OBJECTIVES**

The main objective of the Legislative Drafting Panel is to:

2.1 Support the Ministry in drafting new laws and amendments to existing legislations.

2.2 Ensure legal amendments and proposed laws align with international best practices.

2.3 Expedite the legislative drafting process to meet the Ministry’s timelines efficiently.

2.4 Facilitate final clearance of the legislative drafts from the Office of the Solicitor General.

3.0 **SCOPE OF WORK**

3.1 The Legislative Drafting Panel shall support the Ministry of Trade in the development, review, and refinement of laws, regulations, and policy frameworks that are essential to achieving the Ministry's mandate. The panel's scope of work will cover a broad range of legislative activities that ensure effective policy implementation and alignment with national development goals.

3.2 The Legislative Drafting Panel will perform the following key activities:

3.2.1 Legislative Drafting

a. Drafting, reviewing, and revising legislative texts, including laws, regulations, and statutory instruments.

b. Ensuring legal texts are clear, coherent, and aligned with international standards and best practices.

3.2.2 Policy Analysis and Impact Assessment

1. Analyzing proposed policies to identify potential legislative requirements and drafting needs.
2. Conducting impact assessments to determine the potential social, economic, and legal implications of proposed legislation.
3. Reviewing existing legislation to identify areas for reform or updating in line with emerging trends and needs within the trade and industry sectors.

3.2.3 Legal Research and Benchmarking

a. Conducting in-depth legal research to compare existing and proposed laws with international best practices.

b. Identifying gaps in current legislation and recommending necessary amendments or new legislative measures.

3.2.4 Consultation and Stakeholder Engagement

a. Partake in the Ministry's consultations with key stakeholders, including government agencies, trade organizations, MSMEs, consumer protection groups, and regulatory bodies, to ensure that the proposed legislation is responsive to diverse interests.

4.0 **EXPECTED DELIVERABLES**

4.1 Draft Legislation: Completed drafts of proposed laws and amendments, including laws listed as per **Appendix A**.

4.2 Stakeholder Consultation Reports: Summaries of feedback and how it has been incorporated into drafts.

4.3 Compliance Reports: Legal assessments ensuring conformity with national and international legal standards.

4.4 Final Submissions: Legislation ready for submission to the Office of the Solicitor General for clearance.

5.0 **QUALIFICATIONS AND COMPETENCIES**

Panel members should possess:

5.1 Demonstrable experience in legislative drafting.

5.2 Comprehensive understanding of Fiji’s legal and regulatory framework.

5.3 Familiarity with the functions of the Office of the Solicitor General.

5.4 Knowledge of international best practices in legislative drafting and policy development.

5.5 Strong analytical, communication, and collaborative skills.

6.0 **REPORTING AND DURATION**

6.1 The Panel will report directly to the Permanent Secretary for Trade, Co-operatives, MSMEs and Communications.

6.2 The engagement will initially be for 12 months, with periodic evaluations and possible renewals based on project requirements.

7.0 **TERMS OF ENGAGEMENT**

7.1 The engagement will be governed by the Ministry’s policies and in accordance with relevant procurement guidelines.

7.2 Panel members will be required to maintain confidentiality and professionalism throughout the assignment.

8.0 **EFFECTIVE DATE**

Effective Date:

Review Date:

Approved by:

Authorized Representative Name: