

**Fostering the Legislative Business and Investment Enabling  
Environment for the Micro, Small and Medium Enterprises (MSMEs) in  
Lebanon**

**Terms of Reference**

**Senior Legal Expert to Examine, Assess and Amend the Mergers and  
Acquisitions law(s) in Lebanon**

**Activity 1**

**1. Reference Organization:**

**Lebanese Foundation for Permanent Civil Peace (LFPCP)**

**2. Background**

Fostering the Legislative Business and Investment Enabling Environment for the Micro, Small and Medium Enterprises (MSMEs) in Lebanon is a Project Implemented by the Lebanese Foundation for Permanent Civil Peace (LFPCP), with the support of the USAID-funded project Lebanon Trade and Investment Facilitation (TIF).

The project aims to advocate for and to promote economic growth and stability by improving rules and regulations to foster the legislative business and investment enabling environment in Lebanon. Through this project, LFPCP aims at examining key business laws and advising on the necessary amendments as well as proposing a new draft law for Micro, Small and Medium Enterprises (MSMEs).

**3. Objective and scope of work**

The principal objective of the assignment is **to conduct and draft an assessment and gap analysis on the existing Mergers and Acquisitions**

**law (Commercial Law), and propose needed amendments,** as foreseen in activity no. 1.

The Mergers and Acquisitions law: This law regulates the merger and acquisition of companies and aims to ensure that these transactions do not negatively impact competition in the marketplace.

The findings and the proposed amendments will be documented in the assessment report, which will be used by LFPCP to advocate for changes to the laws and to promote economic growth and stability in Lebanon.

The expert will work hand-in-hand with LFPCP project team and under the supervision of the Project Director to analyze the Mergers and Acquisitions law and propose necessary amendments.

#### **4. Methodology:**

The expert will apply the following methodology:

- Conduct a desk review of the original law document (Mergers and Acquisitions Law) and any other relevant documentation;
- Conduct a preparatory phase by having meetings and/or interviews with key stakeholders at the business sector.
- Conduct other meetings if needed, with university professors, Lawyers, Jurists ... (when needed)

The selected expert will work with the project team on the details of the final work plan.

#### **5. Tasks to be performed**

**Task 1:** Conduct a desk review of relevant documentation about the Lebanese legislative procedures and the existing legal frame work.

This documentation includes:

- The original law document of the law(s) on Mergers and Acquisitions.
- Mergers and Acquisitions Laws in other international countries (at least two other international countries);
- Report on the gaps and successes of the implementation of these laws in other countries;
- Any other relevant reports or documents

**Task 2:** Conduct Focus group and/or interviews with key players, including but not limited to:

- Key legal and technical experts in the domain;
- Key stakeholders that work in the business sector,
- Key Professor, Lawyers, and others that are familiar with this domain,

**Task 3:** Developing and Drafting an assessment study on the implementation of the Law(s) on Mergers and Acquisitions in Lebanon.

The expert and based on the preparation and interviews conducted at tasks 1 and 2, shall identify the main challenges and obstacles affecting the proper implementation as well as the gaps of this law. And will then develop draft amendments to address these issues.

The assessment and the amendments proposed shall be drafted in a:

- Clear scientific and legal language
- Include all the necessary and practical aspects for the law to be implemented
- The articles of the new amendments shall be in a scientific order

**Task 4:** Presentation of the drafted assessment and the proposed amendments.

At the end of the mission, the expert will provide a presentation of the assessment study and the proposed amendments to the project team, key stakeholders and other relevant persons.

**Task 5:** To conduct any additional relevant tasks as required by the job.

## 6. Deliverables

The outputs of the mission will be:

- Agreed work plan.
- Mission report that includes the elements of the mentioned tasks, with a clear table of contents and a clear practical conclusions with the available evidence.
- The final draft of the Assessment Study and the proposed Amendments on the Mergers and Acquisitions law in Lebanon.

## 7. Timeline

The assignment is expected to take place in the period between 1st of August 2023 and 31 of January 2024.

## 8. Skills and Competences:

### Qualifications:

- Master's Degree in Law, or equivalent related to the assignment;
- Excellent writing and verbal communication skills in English and Arabic; (French is an asset).
- Ability to write concise, readable and analytical reports and understanding of public communications.

### General Experience:

- Minimum 10 years of working experience in the legislative processes as a lawyer, and/or university professor and/or legal expert.

### Specific Experience:

- Minimum 5 year working experience in fields related to legislative drafting and law making for parliamentary, and/or governmental agencies.

## **9. How To Apply:**

Applicants should have a proven, long-standing experience in the above mentioned field of law they apply for, and a proficient level of Arabic and English.

Interested candidates shall send their: 1) updated CV, including list of previous working experience, 2) Motivation Letter, and 3) Sample of at least one work done in similar context (in English) to this email address: [info@lfpcp.org](mailto:info@lfpcp.org)

Insert the title of the consultancy in the subject of the email.

The deadline of submission of the application is July 10, 2023 at 5:00 pm.

LFPCP is committed to equal opportunities and diversity of perspective at the work, regardless of gender, social background or status. After ensuring that applicants meet the eligibility requirements, a technical review committee will score each proposal as per pre-determined criteria.

And only shortlisted candidates will be contacted.