

**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 draft a new law on Micro, Small and Medium
Enterprises**

Activity 2

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 that **the legal expert and based on an initial economic assessment study, will develop and draft a law that addresses the governance of MSMEs and aims to improve their competitiveness. This draft law will be a comprehensive document that will address the various issues identified in the research, such as access to finance, market access, and regulatory environment, with the aim of addressing the constraints that MSMEs face and promoting their growth and development, as foreseen in activity no. 2.**

The expert will work hand-in-hand with LFPCP project team and under the supervision of the Project Director to draft a new law on MSMEs.

4. Methodology:

The expert will apply the following methodology:

- Conduct a desk review of the studies, reports, and other international laws related or similar to the subject of the ToR which is: Micro, Small and Medium Enterprises 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 Policy and legislative procedures and the existing legal framework.

This documentation may include:

- The current law on commerce.
- Studies and reports on Micro, Small and Medium Enterprises (MSMEs).
- Laws of Micro, Small and Medium Enterprises 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 a 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: Develop and Draft a new law on Micro, Small and Medium Enterprises (MSMEs) applicable to the Lebanese system.

The expert and based on the preparation and interviews conducted at tasks 1 and 2, shall draft a new law on Micro, Small and Medium Enterprises (SMEs).

The new Law 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 law shall be in a scientific order.
- The law shall be relevant to the Lebanese Market.

Task 4: Presentation of the new drafted law. At the end of the mission, the expert will provide a presentation of the drafted law to 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.
- Final draft of the new law proposal on Micro, Small and Medium Enterprises (MSMEs) relevant and applicable to the Lebanese Market.
- 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.

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

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 a pre-determined criteria.

And only shortlisted candidates will be contacted.

