

Terms of Reference
Customs Legal Advisor

1. Background

1.1 The Oceania Customs Organization (OCO) has 23 independent, self-governing and territories Customs jurisdictions in the Pacific. Established in 1986, its mandate is to promote effectiveness and efficiency of Customs administrations in the harmonization and simplification of Customs procedures, facilitation of trade, law enforcement and building the capacity of members in meeting the development objectives of their Government.

1.2 OCO is partnering with the United Nations Conference on Trade and Development (UNCTAD) through the EDF11 funding to improve trade facilitation through the regions trading potential and enhancing export competitiveness, reduce costs of essential imports and improve transparency.

2. Terms of Reference

2.1 The Customs Legal Advisor is required to conduct the Legal Revision of all existing legislation and policies in consultation with Experts under the IMPACT project, regarding, import, export and transit procedures in order to align with Revised Kyoto Convention (RKC) General Annex and WTO TFA Priority Measures.

2.2 The officer is required to undertake the following:

- Conduct an Inventory of the Legal Gaps in the existing Legal Framework in the 15 PACP countries;
- Develop a Roadmap for Legislative Reforms;
- Draft amendments or new legislation to align with the WTO TFA, RKC and EPA;
- Raise awareness on the benefits of implementing the Legislative Reforms, Policies, Guidelines, and rules drafted and approved;
- Have an Increased knowledge of relevant stakeholder, including Customs Officers, on the amended or new legislation.

3. Specific Activities

- Collecting all the existing legislation and policies regarding import, export and transit procedures;
- Reviewing and analyzing the information gathered to determine clarity, relevance, and conformity with the WTO TFA, RKC and EPAs;
- Ensure that consultation is conducted with all Experts under the IMPACT project.



4. Evaluation Criteria

4.1 Applications will be evaluated using the following criteria:

Content of Application	Percentage
Relevant Qualification with 15 years professional experience	20%
Demonstrated Relevant experience in preparation of Draft Laws relating to Customs in the Oceania Region based on RKC and WTO TFA	40%
Demonstrated Knowledge and Experience of national consultations with Key Government Agencies, Private Sector and other Stakeholders	25%
Cost	15%

5. Qualifications & Skills

5.1 The Customs Legal Advisor for this engagement is required to have the following relevant qualifications and skills:

Education/Experience

- Must possess a University Degree in Law from a recognized university;
- Must be a qualified lawyer with at least 15 years professional experience.
- Should have extensive experience in practicing law in a common law jurisdiction with expertise in preparing draft laws relating to customs.
- Must be an excellent communicator
- Extensive experience with Customs in the Oceania Region would be an asset.

6. Governance and Management

6.1 The Customs Legal Advisor will work in close collaboration with both, the Trade & Revenue Management Advisor and Customs Enforcement Advisor, however, under the direct supervision of the Operations Manager.

7. Contract Duration:

7.1 The contract period is for 12 months which is to be spread over a period of **2 years**.

Contact

For further information please contact:

Mr. John Sam: JohnS@ocosec.org