



EU funded Project ENI/2019/406-262

“Technical Assistance to Support the National Bureau of Statistics of the Republic of Moldova”

## Consultant on legal acts at the National Bureau of Statistics of the Republic of Moldova

The EU funded project “*Technical Assistance to Support the National Bureau of Statistics of the Republic of Moldova*” (ParStat) is seeking high-qualified national applicants for the position of an **Expert on Legal Acts** to support the National Bureau of Statistics of the Republic of Moldova in drafting and amending national legal acts related to official statistics.

The EU funded Project is a Service Contract managed by the EU Delegation to Moldova and implemented by a consortium led by the Italian Geographical Society in partnership with the National Institutes of Statistics of Italy (Istat), Poland (Statistics Poland), Denmark (Statistics Denmark). The project’s partner institution is the National Bureau of Statistics of the Republic of Moldova (NBS).

The legal frame for the official statistics in Moldova consists of a set of laws, government decisions and regulations, and particularly the Law on Official Statistics No. 93, adopted in 2017. The NBS carries out its activities based on the Annual Programmes of Statistical Works approved by the Government and in line with the Strategy for the Development of the National Statistical System and its plan of activities for 2016-2020.

The law 93/2017 is in line with the *European Law on Official Statistics* (Regulation (EC) No 223/2009 of the European Parliament and of the Council on European statistics) and with the model of *Generic Law on Official Statistics* developed under the United Nations Development Account Project for the countries of Eastern Europe, Caucasus, and Central Asia. However, although developed according to the latest international standards, the law presents the following issues that need to be addressed:

- Some owners of administrative data sources claim that they cannot provide individual data to the NBS, as requested by the law (art. 16), because this would conflict with other juridical texts. NBS tries to achieve gentlemen agreements with these data suppliers, but this is difficult and time consuming. It has to be explored whether an amendment of the law on official statistics can improve the situation, or other national legal acts should be amended.
- Article 6 (Organisation of the national statistical system) assigns to NBS the task of proposing to the Government a regulation on the rules to apply in order to establish (or revise) the list of producers of official statistics to be considered members of the national statistical system. ParStat has established a draft of the criteria to take into account in the regulation. Nevertheless, the respective regulation and documents to support its approval need to be developed.
- Article 20 (Access to individual data) allows the access for scientific purposes, under an NBS internal regulation. ParStat has established a draft of such regulation which is to be approved and put under implementation.
- A government Decision (no. 128/2014) obliges all central public authorities in Moldova, including the NBS, to store all data, information systems, and software on the common governmental technological platform (MCloud). Moreover, the migration of the resources and systems on the MCloud, for a certain list of institutions (including NBS) is associated with the parallel transmission of the technical infrastructure and server-related

hard- and software to the administration/maintenance of the Information Technology and Cyber Security Service. According to another government Decision (no.414/2018), the NBS should not maintain in-house servers and software, but accessing the platform to store, analyse and produce official statistics. The Decision specifies that the protection of personal data is ensured in the platform, according to national legislation.

The main objective of the consultancy is to work jointly with the staff of the National Bureau of Statistics to address the above-mentioned issues and ensure that the NBS can access individual data from administrative sources, can further progress towards the establishment of a national statistical system that includes other producers of official statistics, can continue its work as an independent institutions in line with the national legislation and the Common Quality Framework of the European Statistical System.

Job position:	No. 1 Expert on Legal Acts
Beneficiary:	National Bureau of Statistics of the Republic of Moldova, Chisinau
Duration of the consultancy:	20 working days in total from December 2020 to February 2021
Starting date of the consultancy:	1 <sup>st</sup> December 2020 (indicative)
Contract type:	Individual contract for consulting services based on monthly timesheets
Contracting authority:	EU funded Project ParStat
Method of payment:	Based on satisfactory performance and deliverables of implemented phases

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<b>Qualification and skills:</b>	<ul style="list-style-type: none"><li>- University degree in Law, or relevant discipline. In the absence of the required academic degree, five (5) additional years of experience in the fields of legislation or related fields of equivalent scope, on top of the years of experience described under Professional experience below</li><li>- Experience in the Moldovan juridical framework</li><li>- Experience in drafting juridical texts</li><li>- Excellent verbal and written communications skills, and demonstrated experience working with a variety of stakeholders, including senior government officials, donors, journalists, editors, policymakers and academics</li><li>- Fluent in Romanian, Russian and English languages (minimum B2 of the European Language level, CEFR).</li></ul>
<b>Professional experience:</b>	<ul style="list-style-type: none"><li>- At least 10 years of professional experience relevant to the assignment</li><li>- Previous work on juridical aspects of government bodies</li><li>- Experience in the juridical aspects of the management of individual confidential data</li><li>- Experience and knowledge of legal aspects related to official statistics are considered as an asset.</li></ul>
<b>Other skills:</b>	<ul style="list-style-type: none"><li>- Ability to take the initiative and work independently under the guidance of the NBS and the ParStat project</li><li>- Proven ability to deliver high quality results</li><li>- Communication skills and teamwork oriented</li><li>- Prioritise actions and tasks, meet tight deadlines</li><li>- Ability to work under pressure.</li></ul>

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## **Activities, expected results, deliverables, and implementation approach**

### **The main planned activities are:**

- Develop amendments to improve the text of law 93/2017, concerning the access to administrative data for statistical purposes, the protection of individual data and safe access to microdata in line with European and international best practices.
- Draft the legislative set of documents for approval (through government decision) of the regulation on the rules and certification procedures to be applied in order to establish and to revise the list of producers of official statistics to be considered members of the national statistical system.
- Ensure compliance of the NBS regulation on the safe access to individual data for scientific purposes with national legislation.
- Propose amendments to the Government Decisions (no. 128/2014 and no.414/2018) on common governmental technological platform (MCloud) and on the measures to strengthen data centers in the public sector based on NBS position suggested by the International Legal Expert ensuring technical and technological independence of NBS and following the European and international best practices adopted by National Institutes of Statistics.
- Provide juridical assistance on drafting the secondary legislation (Government Decision) for approval of the Concept of Integrated Automated Information System (IAIS) of NBS.
- Propose amendments to other secondary legislation (laws and decisions in other sectors – in particular concerning e-reporting information system and Law no. 270/2018 on the unitary pay system in the budgetary sector) that would facilitate (not affect) the implementation of the official statistics legislation.
- Provide juridical assistance to the NBS throughout the process of official approval of the mentioned-above legal amendments on issues concerning the implementation of the Moldovan legal framework concerning statistics.

### **The main expected outputs and deliverables are:**

1. Proposals for the amendment of the Statistical Law 93/2017.
2. Legislative set of documents for approval (through government decision) of the regulation on the rules and procedures to be applied in order to establish and or revise the list of producers of official statistics to be considered members of the national statistical system.
3. Final version of the internal regulation on the access to individual data for scientific purposes compliant with national legislation.
4. Concrete amendments to the Government Decisions (no. 128/2014 and no.414/2018) on common governmental technological platform (mCloud) and on the measures to strengthen data centres in the public sector.
5. Draft set of legislative documents for approval of the Concept of Integrated Statistical Information System.
6. Amendments to secondary legislation (e.g. related to the e-reporting information system) that would enable (not affect) the implementation of the Law on official statistics.

The consultant will work jointly with the staff of the National Bureau of Statistics and will report to the NBS General Director and the team leader of the ParStat project.

## **Application Process**

This job application is open to individual experts.

Job applications must include:

- **English Curriculum Vitae** in Europass format complete with a recent photo (<https://europass.cedefop.europa.eu/documents/curriculum-vitae>).
- **Motivational letter in English** (two pages maximum) signed by the applicant, explaining the compliance with eligibility criteria for the post applied and motivation. The letter should include a **proposed expected fee rate in euro** for working day. The expected rate should include all costs for the consultancy.
- At least two references (including contact information of the signatory - phone number and e-mail address).

The above documents and information shall be sent **by e-mail only** to the technical secretariat at [urs.adm@societageografica.it](mailto:urs.adm@societageografica.it) and [daniela.popa@parstat.md](mailto:daniela.popa@parstat.md) **by 30 November, 2020, 20:00** Chisinau Time.

After the above deadline, no applications will be accepted, and any request of information will be ignored. Application emails exceeding the size of 5 MB will be not taken into consideration.

### **IMPORTANT NOTICE:**

Please note that the candidates must be independent and free from conflicts of interest in the responsibilities they take on. Candidatures from civil servants or agents of the NBS (who are currently employed or have worked in such a position until a date less than six months from the application deadline), will not be considered for the posts. Any false statements or documentation provided by applicants will result in the termination of the consultancy.

The successful candidate will sign individual contracts as service provider for consulting services. It will be her/his sole responsibility to comply with all legal requirements ruling in Moldova for self-employment or consultant as well as to cover all related taxes, charges and health-related costs if any.

## **Selection Process**

Only the candidates included in a short list will be invited by e-mail for an interview to be held at the NBS premises in Chisinau, or online. The shortlist will be defined based on the curricula vitae, motivational letters, examples of achievements, and references provided by the candidates. The interviews may include practical exercises.

The selection process will be conducted by a selection panel composed by representatives of the NBS and ParStat project. The selection panel may decide not to select any candidate.

For any inquiry related to the application process, please write to: [daniela.popa@parstat.md](mailto:daniela.popa@parstat.md) and [urs.adm@societageografica.it](mailto:urs.adm@societageografica.it).