

## Terms of Reference

### **A Consultancy to amend The Summary Jurisdiction (Littering Offences) Act Chapter 98 (Violation Tickets) Regulations, 1991Chapter 98.**

#### **1. PROJECT TITLE**

SICA AZUL, an Intersectoral Management for the Protection of the Marine Environment

#### **2. BACKGROUND**

Currently, 11 million tons of plastic waste are thrown into the oceans, causing serious damage to the oceans, their biodiversity and human health itself. The region suffers significant social, economic, and environmental impacts on the member countries of the Central American Integration System (SICA) and the Caribbean, including the reduction of tourism, negative effects on the fishing sector, loss of employment, the high cost of beach cleanups, and impacts on human health, among others.

Belize is no stranger to this problem, currently reporting significant problems due to plastic pollution in its territory

In this sense, the regional environmental strategy (ERAM), which is approved by the Council of Ministers of Environment of the SICA region and executed by the Central American Commission for Environment and Development (CCAD), establishes in its strategic line of environmental quality, wastewater management and waste management to mitigate pollution. In the same way, in its line of seas and biodiversity, it establishes the sustainable management of marine-coastal areas,

To put these strategic lines into action, the CCAD implements an integrated portfolio of projects that support specific activities.

The SICA AZUL project is part of the set of projects of the XVIII Joint Commission for Cooperation between the Countries of the Central American Isthmus and the Republic of China (Taiwan) which seek to strengthen SICA intersectoral initiatives for the development of the region. One of them is the protection of the marine environment, worked on jointly by OSPESCA, CCAD and CAC.



Through the SICA AZUL project, the CCAD seeks the development of national actions in Belize the program to manage sargassum and plastic waste in the terrestrial and marine-coastal zone, with the leadership of the Department of Environment of the Ministry of Sustainable Development, Climate Change and Waste Management of Belize, pilot actions have been planned to make waste management and plastic pollution prevention effective. among them the strengthening of national laws and policies related to the topic previous mentioned.

The Summary Jurisdiction (Littering Offences) Act Chapter 98 (Violation Tickets) Regulations, (Section 4) passed in 1991 highlights the procedure, basis, fines associated with the issuance of a littering ticket by an authorized officer to both individuals and corporate persons caught littering.

In this regard, the Department of Environment through the Ministry of Sustainable Development, Climate Change and Solid Waste Management (MSDCCSWM) is seeking to engage a suitably qualified Belizean candidate to submit a technical proposal along with a financial proposal to undertake the consultancy for the drafting of an amendment of the Regulations.

The consultancy is for the revision and updating of the regulations under the Environmental Protection Act and the Summary Jurisdiction (Littering Offences) (Violation Tickets) Regulations Statutory Instrument No. 130 of 1991.

### **3. PARTICIPATING INSTITUTIONS**

The project is executed by the Directorate of the Executive Secretariat of the Central American Commission for Environment and Development SICA/CCAD, in coordination with the Organization of the Fisheries and Aquaculture Sector of the Central American Isthmus -OSPESCA- and the Central American Agricultural Council -CAC and with the participation of the authorities of the Ministry of Environment and Natural Resources of the 8 countries of the SICA region.

The administration of the funds of the pilot project is carried out by the International Regional Organization for Agricultural Health (OIRSA), in accordance with the OIRSA-OSPESCA Agreement.



#### 4. OBJECTIVES

The objective is to provide legislative service to revised and update the Summary Jurisdiction (Littering Offences) (Violation Tickets) Regulations to expand the procedure, to include extension of date for issuing of ticket, the mechanism for payment, increase the penalties, reoccurring offenders, and the list of authorized persons who can issue a littering ticket among others.

Scope of the Proposed Contracted Services

#### 5. SCOPE AND FOCUS OF TECHNICAL ASSISTANCE

##### 5.1 Expected Outputs

The consultant will prepare (i) draft Guidance Notes; (ii) draft amended Summary Jurisdiction (Littering Offences) (Violation Tickets) Regulations and draft Cabinet Paper.

#### 6. FUNCTIONS

The technical assistance includes the following key functions to ensure the development, implementation and sustainability of the AI voice and chat assistant solution:

The consultant shall carry out the following tasks.

1. Conduct an inception meeting with the Department of the Environment to review and agree with the scope of works, time frames and methodology and agree on the proposed legislative changes.
2. The consultant will have to review the Summary Jurisdiction Act to ensure the changes being proposed in the legislation is in accordance with the Act, review the existing policies and strategies that will assist with the amendment of the Summary Jurisdiction (Littering Offences) (Violation Tickets) Regulations, 1991.
3. Consultation with stakeholders - The consultant shall consult with Local Government (NAVCO, Mayors Association), head of other relevant Departments/Ministries (Commissioner of the Supreme Court, Transport Department, Public Health, Police Department) as well as other stakeholders such as the Attorney General's Office in the drafting process and to inform them of the proposed changes and get their recommendations.
4. Develop draft guidance notes and draft of the amendment of the Summary Jurisdiction (Littering Offences) Violation Tickets Regulations

5. Develop supporting material, including explanatory memorandum, a legislation implementation plan and Cabinet paper for the draft legislation.
6. Final drafting guidance notes, Final draft amendment of the Summary Jurisdiction (Littering Offences) Violation Tickets Regulations and Final draft Cabinet paper for submission to the Ministry of MSDCCSWM.

## 7. PRODUCTS

| Description  | Timeline |
|--|----------|
| <b>Product 1:</b> Inception report with the updated work plan and methodology  | Week 1   |
| Stakeholder consultations meeting report   | Week 4   |
| <b>Product 2:</b> Provide first draft of the guidance notes and the draft amendments to the regulations.   | Week 8   |
| <b>Product 3:</b> Incorporate the comments received from the relevant stakeholders and submit the final draft within the time frame allocated to the specified amendments  | Week 12  |
| <b>Product 4:</b> Submit final drafts of the guidance notes, the draft amendment, the draft cabinet paper and the explanatory memorandum in soft and hardcopies to the DOE | Week 16  |

## 8. SOURCE OF FUNDING

The financial resources for the contracting of this technical assistance come from the SICA AZUL project, an Intersectoral management for the protection of the marine environment, through component 1: Contribute to the ecological stability of the coastal-marine zone of the SICA region through the management of sargassum and plastic waste.

## 9. PLACE AND DEADLINE

The technical assistance will compile and develop the outputs described in item 7 for Belize.

The contracting period will be five (5) months from the signing of the contract, under these terms of reference, which in turn will be an integral part of the contract.

## 10. SUPERVISION AND COORDINATION

The technical assistance will be under the general direction and supervision of the Executive Secretariat of CCAD (Coordination of the SICA Azul Project) and the focal point of the Department of Environment of the Ministry of Sustainable Development, Climate Change and Waste Management of Belize, to whom it must inform of the particular situations for the development of the project and the progress, as well as the delivery of the corresponding reports.

## 11. ECONOMIC CONDITIONS

Payments will be made in accordance with the delivery of the products indicated in the table below, subject to approval by the Central American Commission for Environment and Development of the SG-SICA and the technical acal of the Department of Environment of the Ministry of Sustainable Development, Climate Change and Waste Management of Belize.

The stipulated amount entails the lines of fees.

| Deliverables/Outputs  | Proposed Percentage |
|---|---------------------|
| <b>Product 1:</b> Upon submission and approval of the Inception report with updated workplan and methodology  | 10%                 |
| <b>Product 2:</b> Submission of the first draft of the guidance notes and the first draft of the amendment updated Summary Jurisdiction (Littering Offences) (Violation Tickets) Regulations to the DOE.  | 40%                 |
| <b>Product 3:</b> Submission of the second draft of the guidance notes and the second draft of the amendment updated Summary Jurisdiction (Littering Offences) (Violation Tickets) Regulations which has incorporated feedback from Stakeholders. | 40%                 |
| <b>Product 4:</b> Submission of the final guidance notes and the final draft of the amendment updated Summary Jurisdiction (Littering Offences) (Violation Tickets)   | 10%                 |



Regulations of the submitted to DOE and the final cabinet paper to the DOE for submission to the Ministry.

## 12. QUALIFICATION AND EXPERIENCE

The following qualifications and experience will be evaluated:

### 12.1 Previous experience

- a) Minimum Bachelor of Laws (LLB) Minimum 5 years of relevant experience required for carrying out the TOR's tasks.

### 12.2 Specific technical expertise and capability

- a) Experience must include (i) a legal background, (ii) experience in drafting laws.
- b) Ability to engage with a cross-section of stakeholders in the public and private sectors
- c) Experience in drafting concept documents
- d) Experience in drafting legislation will be an advantage

### 12.3 Language

Excellent command of spoken and written English will be looked upon favourably.

### 12.4 Economic Proposal

- a) The consultancy's financial proposal will be taken into consideration, and it must include the costs of local travel and per diem expenses.

## 13 EVALUATION CRITERIA

| Criteria  | Value      |
|---|------------|
| <b>Previous experience (20%)</b>  |            |
| a) Minimum Bachelor of Laws (LLB) Minimum 5 years of relevant experience required for carrying out the TOR's tasks. (20%) | <b>20%</b> |
| <b>Specific technical expertise and capability (40%)</b>  |            |
| a) Experience must include (i) a legal background, (ii) experience in drafting laws. (10%)                                | <b>40%</b> |

|  |            |
|--|------------|
| b) Ability to engage with a cross-section of stakeholders in the public and private sectors (10%)  |            |
| c) Experience in drafting concept documents (10%)  |            |
| d) Experience in drafting legislation will be an advantage (10%)   |            |
| <b>Language (10%)</b>  | <b>10%</b> |
| Excellent command of spoken and written English will be looked upon favourably (10%).  |            |
| <b>Economic proposal (30%)</b>   | <b>30%</b> |
| The consultancy's financial proposal will be taken into consideration, and it must include the costs of local travel and per diem expenses. (30%). |            |

#### 14. INTELLECTUAL PROPERTY

The data and results generated by this technical assistance are for the exclusive use of the project "An Intersectoral Management for the Protection of the Marine Environment (known as SICA AZUL and the Department of Environment of the Ministry of Sustainable Development, Climate Change and Waste Management of Belize)".

**José Infante**  
 Director Regional a.i.  
 SICA/OSPESCA