



REQUEST FOR EXPRESSION OF INTEREST (Consultant selection)

From : 17th /07/2023 to 14th /08/2023
Client : ECOWAS Regional Competition Authority (ERCA)
Type : Expression of Interest (EOI)

TITLE : **Recruitment of a Consultant for the Development of a Competition and Consumer Protection Policy and Framework for the Establishment of a Competition and Consumer Protection Authority in Sierra Leone.**

Reference No. N° ECW/ERCA-/ADM/ 002 /17/07/23) kn

In the framework of the execution of the 2023 Budget, the ECOWAS Regional Competition Authority (ERCA) intends to apply a portion of its budgeted funds for the Recruitment of a Consultant for the **Development of a Competition and Consumer Protection Policy and Framework for the Establishment of a Competition and Consumer Protection Authority in Sierra Leone.**

I- Background:

Competition is a key driver of economic growth and development. It is a powerful tool for encouraging innovation and efficiency, and for promoting the interests of consumers. It helps to create a level playing field for businesses of all sizes and encourages investment and entrepreneurship. A robust competition and consumer protection policy is essential for promoting and maintaining a competitive environment that benefits all stakeholders.

Pursuant to Article 3 of the ECOWAS Revised Treaty which prescribes the harmonization and coordination of national trade policies in the ECOWAS Region and the Supplementary Acts on the Community Competition Rules as well as the ECOWAS Directive on Consumer Protection, the ECOWAS regional Competition Authority (ERCA) shall cooperate with Member States to promote competition and trade in the Community Market. Particularly, ERCA is committed:

- to build an efficient and competitive ECOWAS market economy in order to promote and facilitate the conditions necessary for inclusive economic growth;
- to encourage Member States to take ownership and implement the Principles and Rules of Competition and Consumer Protection for the benefit of the region;
- to support Member State to adopt competition laws consistent with community provisions, particularly the establishment of independent national competition authorities.

In view of this requirement, ERCA intends to support Sierra Leone in developing a comprehensive legislative framework on competition and consumer protection in the light of the legal reforms adopted by the country in 2020. The assignment to be conducted by a regional Expert, in collaboration with the Ministry of Trade and Industry and other relevant stakeholders, aims to enable the country to have more holistic legislation on competition and consumer protection in line with the community rules and what obtains in most ECOWAS Member States.

II- Objectives:

The consultant will be responsible for developing/updating the national competition and consumer protection policy and a framework for the establishment of a competition and consumer protection authority. The objectives are to:



1. Undertake a review and analysis of the existing legal and regulatory framework governing consumer protection and competition, if any.
2. Analyze the regulatory and enforcement mechanisms related to competition and consumer protection.
3. Conduct a stakeholder analysis to identify the needs and expectations of relevant stakeholders, including government agencies, businesses, consumers, and civil society organizations.
4. Conduct a legal and institutional assessment to identify the strengths and weaknesses of the current regulatory framework and to assess the level of institutional capacity required to establish a new competition and consumer protection authority.
- 5. Develop a comprehensive draft Competition Bill incorporating the existing Consumer Protection Act that will guide the establishment of a new competition and consumer protection Commission.**
- 6. Develop a framework for the establishment of a new competition and consumer protection Commission, including its mandate, organizational structure, and governance arrangements.**
7. Develop an implementation plan for the establishment of the new competition and consumer protection Commission, including timelines, resource requirements, and performance indicators.
8. Recommend specific rules and regulations to govern the operations of the competition and consumer protection authority.
9. Prepare a plan for implementing the competition and consumer protection policy.

III- Tasks:

The consultant will undertake the following tasks:

1. Conduct a literature review of international best practices in competition and consumer protection.
2. Review the legal and regulatory framework governing consumer protection in the country.
3. Conduct a stakeholder analysis to identify the needs and expectations of relevant stakeholders, including government agencies, businesses, consumers, and civil society organizations.
4. Conduct a legal and institutional assessment to identify the strengths and weaknesses of the current regulatory framework and to assess the level of institutional capacity required to establish a new competition and consumer protection authority.
5. Develop a draft Competition Bill incorporating the existing Consumer Protection Act
6. Develop a framework for the establishment of a new competition and Consumer Protection Commission including its mandate, organizational structure and governance arrangements that reflects international best practices and regional provisions and the needs of relevant stakeholders.
7. Develop an implementation plan for the establishment of the new competition and consumer protection authority, including timelines, resource requirements, and performance indicators.
8. Conduct consultations with relevant stakeholders, including officials from relevant government agencies,



businesses, consumers, civil society organizations, and other experts, as required.

9. Prepare interim and final reports, as required, outlining progress and deliverables against the agreed work plan.

IV- Deliverables:

The consultant will be required to deliver the following:

1. An inception report outlining the consultant's interpretation of the objectives, an overview of the approach and methodology to be followed, a detailed work plan, and any other relevant materials.
2. A comprehensive competition and consumer protection policy document, reflecting international best practices, the regional guidelines and provisions and the needs of relevant stakeholders.
3. A framework for the establishment of a new competition and consumer protection authority including its mandate, organizational structure, and governance arrangements.
4. An implementation plan for the establishment of the new competition and consumer protection authority, including timelines, resource requirements, and performance indicators.
5. Consultation reports summarizing the main points of feedback obtained during consultative meetings.
6. **Draft Competition Bill incorporating the existing Consumer Protection Act**
7. **Draft framework for the establishment of a new competition and Consumer Protection Commission including its mandate, organizational structure and governance arrangements.**
8. Interim and final reports outlining progress and deliverables against the agreed Terms of reference and work plan.

V- Qualifications and Experience:

The consultant should possess the following qualifications and experience:

1. A post-graduate degree in economics, law, public policy or a related field.
2. A minimum of ten (10) years' experience in competition policy, consumer protection, and regulatory reform.
3. First-hand experience in designing, implementing, and evaluating competition and consumer protection policies.
4. Knowledge of international best practices and the ECOWAS provisions in competition and consumer protection, including experience in working with the relevant regulatory authorities.
5. Experience in the development of regulatory frameworks and institutional arrangements.
6. Excellent analytical and report writing skills, as well as strong communication skills.

VI- Duration:



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Bertil Harding, KSMD,
Bijilo, The Gambia
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info@erca-arcc.org

The project will be completed over a period of three (3) months, starting from the date of signing the contract.

VII- Financing

The study will be financed under the budget of ERCA. This will cover all expenses related to the study, including the consultant's fees, travel, accommodation, and other administrative expenses.

VIII- Submission of Proposals:

Interested consultants should submit a proposal that includes:

1. A detailed CV and relevant qualifications of the consultant.
2. A cover letter outlining the consultant's understanding of the project, the approach taken to complete the project, and the expected outcomes.
3. A detailed work plan that outlines the methodology, timelines and deliverables.
4. A budget for the entire project, including all expenses.
5. Two references from previous clients or employers.

IX- Deadline for submission

The deadline for submission of proposals is August 14, 2023

X- Contact

All proposals should be submitted electronically to the following address: knkuako@ecowas.int, ggoorebi@ecowas.int, itambajang@ecowas.int.

ECOWAS Regional Competition Authority
Bertil Harding
Bijilo, The Gambia

Expressions of Interest (1 original and 3 copies) can be delivered in sealed envelopes and clearly marked **"RECRUITMENT OF A CONSULTANT FOR THE DEVELOPMENT OF A COMPETITION AND CONSUMER PROTECTION POLICY AND FRAMEWORK FOR THE ESTABLISHMENT OF A COMPETITION AND CONSUMER PROTECTION AUTHORITY IN SIERRA LEONE."**, Do not open except in the presence of the Evaluation Committee" to the address below latest by **August 14, 2023, at 11.00 am (GMT), The Gambia Time.**

The Ecowas Regional Competitive Authority (ERCA) whose address is at Bertil Harding, KSMD, Bijilo, The Gambia P.O Box 4470 Tel :+2202330006/3486966.

Please note that electronic submissions are also accepted and shall be addressed to:

www.erca-arcc.org



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This EOI is also published on the ERCA and the ECOWAS websites info@erca-arcc.org and <http://www.ecowas.int/doing-business-in-ecowas/ecowasprocurement>

Executive Director ECOWAS Regional Competition Authority (ERCA)

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