

**Expression of Interest (EOI)
EOI-NCPE/01/2018**

**Invitation for the provision of
Legal Advisor Services for the
National Commission for the Promotion of Equality (NCPE)**

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Closing date for submissions:
05/06/2018 at 10:00 a.m. CET

EXPRESSION OF INTEREST

The National Commission for the Promotion of Equality (NCPE) invites service providers to express their interest in offering legal advisor services to NCPE.

1. Duties

The selected service provider will give legal assistance and support to NCPE related to its different areas of work.

To note that while working for NCPE, the Legal Advisor is responsible to alert immediately the Commissioner and the Executive Director if any potential or actual conflict of interest arises. In such cases, an alternate legal advisor is to be identified by the service provider.¹

GENERAL:

- To carry legal workload of NCPE
- To attend the different training opportunities if and when they arise in all areas and any other remit forming part of NCPE's work
- To work closely with the NCPE staff in relation to its various fields of work and attend to meetings whenever needed and assist the Commissioner and Management
- To prepare and submit reports as may be necessary
- To provide legal advice to ensure that existing and new legislation is in conformity with all legislation covering NCPE's remit
- To carry out negotiation, mediation, and any other legal work required by NCPE in order to meet its obligations
- To carry out any other duty assigned by the Commissioner and/or Executive Director or her/his delegate

INVESTIGATIONS:

- To assist in the broadest sense all NCPE work related to complaints received
- To carry out any legal representation of NCPE in court and in front of tribunals that results from the Commission's decision to act upon such cases
- To draft legal letters as and when required
- To assist NCPE to identify cases pertaining to its remit as provided by current and new EU and national legislation
- To support and guide NCPE staff in their work in assisting clients who seek advice from NCPE
- To work closely with Complaints Staff

¹ A conflict of interest may be defined as a situation in which private or personal interests sufficient to influence or appear to influence the objective exercise of their official duties. In many cases only the individual officers will be aware of the potential for conflict. Therefore, the onus is on service provider to disclose to NCPE if a potential or actual conflict of interest arises.

EU/INTERNATIONAL AFFAIRS:

- To act upon every responsibility that emanates out of the various Directives which require legal reporting
- To give legal opinion with regards to transposition of EU Directives

PURCHASING AND CONTRACTING:

- To supervise and vet all contracts emanating from NCPE's work
- To offer full legal support in situations emanating out of NCPE's work

EU FUNDED PROJECTS AND OTHER PROJECT WORK:

- To supervise and vet all contracts emanating from project related contracts
- To offer full legal support in situations emanating out of projects implemented by NCPE both as lead partner or as partner

The work of the service provider will be delegated by NCPE Commissioner and/or Executive Director.

2. Terms and conditions

The selected candidate will:

- provide legal advisor services to NCPE for a period of 1 year which may be renewed for further periods according to the exigencies of NCPE
- commence on the date of the last signature of a contract with NCPE which will be binding for both parties
- be required to work at NCPE premises approximately 4.5 hours per week in addition to other work being assigned via email
- provide the required service within ten (10) working days

3. Remuneration

- NCPE shall pay the selected service provider an hourly rate of €34.38 excl. VAT
- Payments are to be effected within 60 days of invoice, failing which the provisions of the Late Payments Directive will come into effect
- Every invoice issued should contain the amount in Euro net of VAT, the VAT component and the Total
- The service provider is to be in a possession of a VAT number
- Invoices are to be issued monthly – a detailed timesheet listing all services provided (per hour) during the period should be attached to each invoice covering the claimed amount

4. Eligibility requirements

By the closing time and date of this Expression of Interest, applicants must:

- have an approved qualification in Laws and a warrant to practice as an advocate in Malta; well versed in the Laws of Malta and European Union Directives and case-law and other legislation as well as policies that directly or indirectly relate to issues of equality, non-discrimination, human rights, freedom of movement of workers and relevant constitutional cases
- have relevant experience including cases related to equality, discrimination, human rights, freedom of movement of workers and relevant constitutional cases
- have a minimum of four (4) years relevant work experience after having obtained the warrant; the legal advisor must also provide evidence of having been practising in the Maltese Courts
- possess a minimum of MQF level 4 in English and Maltese

5. Submission of supporting Documents / Certificates

In connection with item 4 above, interested applicants are to provide the following documentation of the proposed service provider to prove their eligibility:

- CV
- Copy of qualification in Laws
- Copy of warrant
- Lists of cases handled by the proposed service provider, including cases related to equality, discrimination, human rights, freedom of movement of workers and relevant constitutional cases
- Evidence of MQF level 4 in English and Maltese

6. Selection procedure

Eligible service providers will be assessed by a selected board to determine their suitability for such service on the following criteria:

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| - Related knowledge | 25% |
| - Related experience | 25% |
| - Attributes of the practice of legal professional | 30% |
| - Attributes of the legal professional to provide legal advisor services | 20% |

The maximum mark for this selection process is one-hundred (100) and the pass mark is sixty (60).

7. Submission of applications

The Expression of Interest including all documents listed in item 5 above, should reach NCPE's Executive Director, Gattard House, National Road, Blata l-Bajda, HMR 9010:

- By hand

- By email on equality@gov.mt

not later than **10:00 a.m.** (CET) of **Tuesday, 5th June, 2018**. Applications will be acknowledged in writing within three working days.

Any offers submitted after this date and time will be automatically rejected.