

## Terms of Reference (ToR)

### Local Government Policy and Institutions Reform Expert

Working Locations:	Kathmandu, Nepal
Duration:	6 Months (15 February – 15 August 2017)
Duty Station:	Local Government Associations' Coordination Committee (LGACC) <i>NAVIN Secretariat, Kathmandu, Nepal</i>

#### Background and Rationale

Constitution Assembly of Nepal has endorsed new constitution in 2015. The constitution has provisioned federal ruling system with three tiers of government: Central Government, Provincial Government and Local government. Previously, Nepal had long practices of unitary ruling system but had very comprehensive legal provisions of decentralized local bodies with having sort of self-governance practices. The constitution of Nepal – 2015 has provisions constitutional rights and responsibilities to the local governments in separately listed annex.

In the process of federal restructuring, Nepal has 7 provincial structures instead of 5 development regions and 14 zones. Likewise, local restructuring made 75 districts, 257 urban municipalities and 462 Village Palika (rural municipalities) which was previously existed 75 districts, 217 municipalities and 3157 VDCs. Such restructuring efforts has brought massive changes in ruling system and many of the governance system are complex at the local government level.

During the period of one and half year after constitution promulgation, Nepal has been in exercise on rapid schedules of legislative reforms to harmonize with the new constitution. There is also the provisions of formulating laws at the local government level with its independent legislative institutions. To attempt such responsibilities, local governments of Nepal has felt clear need of technical and financial support to facilitate them to formulate the laws and organize institutional reforms. To support the above prefaces, Local Government Policy and Institution Reform Expert is expected to get for a period of 6 months through UCLG-ASPAC in Nepal.

#### Objective of the Assignment

Provide technical support to legislative and institutional reform processes of local governments in Nepal in cooperation with Line Ministries, Government of Nepal.

#### Scope of Works

In coordination with local governments associations' coordination Committee (Joint committee of NAVIN, MuAN and ADDCN), the expert will be expected to undertake the following works:

- Review the constitutional provisions on local governments of Nepal (past to present)
- Review the Local Self-Governance Act- 1997 and make a comparative chart with present constitutional provisions;
- Prepare concerns of local governments in the existing laws to be amended in order to harmonize with the new constitution;
- Provide good practices in legal and policy documents of local governments referring to other countries with federal ruling system;
- Provide policy feedback to local government associations for the advocacy strength with central government agencies;
- Design and drafting standard formats of laws and institutional system for the newly structured local governments;
- Provide recommendations to local government associations how the systems to be designed for the intergovernmental fiscal relations and the effective mechanism for revenue equalization among the tiers of government;
- Consult central government Ministries and departments on legislative and other legal matters for the issues of local government rights and jurisdictions;
- Carry out occasional field visits across the districts of Nepal and hold local consultations with formerly elected representatives on the legal and institutional reforms;

### **Qualification and Experiences**

The proposed post of Technical Assignment would be expected with the following academic qualification and experiences:

- Advanced Masters' Degree in Political Sciences or Laws from recognized University; Ph.D in the above scope of works is preferred
- At least 10 years of working experiences with local government policy and institution reform; having experiences of international environment