

Terms of Reference (TOR)

For

**Engagement of 1 (one) National Legal Expert to support
the Startup Albania State Agency**

under

Challenge Fund, EU4Innovation 2023-2026

Project

Tirana, Albania

February 29, 2024

TERMS OF REFERENCE AND SCOPE OF SERVICE

1. Background

Partners Albania for Change and Development (PA) is an Albanian NGO, established in 2001. PA mission consist in the support of civil society and facilitation of inter-sector cooperation to strengthen democratic institutions and advance economic development in Albania. PA is a member of Partners Global, a network of 20 independent organizations in Europe, the Americas, Africa, and the Middle East, working for peaceful and democratic change.

PA has built its operations in four key programmatic areas, namely:

- 1. Enabling Environment and Sustainable Development of CSOs**, contributing to the empowerment of civil society actors and civic engagement through *capacity building* programs, *monitoring and advocacy* for an enabling legal and practical environment for CSOs operation, and *financial support* for the sector.
- 2. Entrepreneurship and Social Innovation**, developing and supporting the ecosystem of entrepreneurship and social enterprises (SEs) through research, advocacy, financial support mechanisms, expertise, and networking opportunities.
- 3. Philanthropic Activity and Support Infrastructure**, developing and promoting philanthropic activity in the country through research, advocacy actions for an enabling environment, awareness raising and promotion activities on the economic and social value of philanthropy.
- 4. Transparent and Accountable Participatory Governance** contributing to development and growth of civil society practitioners and public administration officials in their efforts to building strong institutions, manage open and transparent processes, and overcome corruption.

PA has vast experience in designing and managing EU funded projects and sub-granting schemes in the frame of EU projects. Since 2012, PA has implemented **more than 20 projects funded by the EU**. The organization also works for the *development of Social Enterprises* (SEs) and start-ups, generating social impact through a) research; b) advocacy; c) education and public awareness; d) financial support to 3-rd parties.

Since June 2023, Partners Albania is the Cooperation Partner of SIDA for the implementation of the Challenge Fund, under the framework of the EU4Innovation Phase II, 2023-2026.

The Multi Donor Action EU4Innovation Phase II, 2023-2026 is jointly co-financed by the EU, the German Federal Ministry of Economic Cooperation and Development (BMZ) and Sida and implemented by GIZ and Sida.

The aim of the Challenge Fund is to improve and diversify finance opportunities for Albanian start-ups and MSMEs, with innovative solutions (e.g., products, services, business models, pro-cesses) and (ii) start-ups with a prominent tech content with the potential for global expansion and rapid growth.

One of the objectives of the Challenge Fund is to provide support to the Minister of State for Entrepreneurship and Business Climate and Startup Albania State Agency. As part of the assistance a

dedicated expertise will be provided, particularly in the initial setup of Startup Albania State Agency and during the preparation and evaluation of calls for grants. The expertise extends to the development of essential acts and manuals essential for the effective functioning of the Startup Albania State Agency. The ad hoc assistance is needed to ensure the support's aim progresses smoothly and achieves its long-term goal of transferring knowledge and experience within Albanian institutions.

Founded in December 2023, Startup Albania State Agency stands as a prominent player in advancing the growth of startups in the country. Positioned at the forefront of the Albanian startup ecosystem, the Agency is dedicated to fostering innovation, supporting entrepreneurial ventures, and contributing to the overall economic development of the country.

2. Objective of the ToR

The main objective of these Terms of Reference is to contract 1 (one) National Legal Expert to support Startup Albania State Agency with legal expertise, to establish internal regulations and procedures, providing guidance on internal and external documentation and setup. Legal support is essential for ensuring the Agency's operations adhere to regulatory requirements and industry best practices.

At the start of the assignment, the expert will conduct a kick-off meeting with the Agency staff to understand needs and objectives, clarify expectations, and any specific requirements for the assignment. Periodic meetings will be organized with the Agency's staff during the implementation of the contract.

The expert will be based in Tirana. The expert is required to work from their office. No office space is envisaged in this case. Premises will be made available by the Agency in case of in-person meetings, assistance and mentoring, foreseen.

No travel within or outside the country is planned for this assignment.

The expert will be committed for a total of 30 working days to complete the tasks during the period March – December 2024.

The assignment will be accomplished within **9 months** (from the date of award of contract).

3. Duties and Responsibilities

The expert contracted should fulfill the duties and responsibilities, as below:

1. **Entity Formation and Structure:** Assist in the completing of the legal framework of Startup Albania State Agency, by drafting the internal regulations, human resources procedures, and guidelines for resource management.
2. **Contract Drafting and Review:** Draft, review, and provide legal counsel on contracts including contracts with grantees, agreements, and partnerships to safeguard the Agency's interests and ensure transparent collaborations.
3. **Intellectual Property Protection:** Guidance on strategies and regulations for protecting intellectual property rights, including trademarks, copyrights, and patents, to secure the Agency's

innovations and assets, with a commitment to adherence to data privacy and security regulations. Establish strong data protection protocols to safeguard sensitive information.

4. **Legal Risk Management:** Identification and mitigation of legal risks associated with the Agency's activities, presenting proactive solutions to prevent potential legal issues.
5. **Ad hoc support:** Provide ad hoc legal support to the Agency for various legal related issues on needs basis during the implementation of the contract.

As part of these duties and responsibilities, the expert is expected to provide technical assistance and thematic mentoring to the staff of Startup Albania State Agency.

4. Experience and qualification of the Expert

- Graduate/Post Graduate legal degree.
- Minimum 7 years professional experience in working with public institutions on legal standards.
- Proven experience and knowledge regarding drafting legal acts and procedures.
- Excellent knowledge of Albanian legal environment.
- Excellent analytical and reporting skills.
- Fluency in English (oral and written)

5. Contracting Authority

The expert will work under the supervision of Partners Albania for Change and Development, to which the expert will directly report with regards to the implementation of the task.

6. Contractual arrangements

The assignment is expected to be conducted between March – December 2024. The Expert must be available during the time frame foreseen. The Expert must be independent and free from conflicts of interest in the responsibilities they take on.

7. Submission of the proposal

The deadline for submitting the application is March 15, 2024.

Application documents must be in English and sent via e-mail to the address:
partners@partnersalbania.org

Partners Albania for Change and Development embraces diversity in its hiring and contracting, welcoming individuals of all religions, ethnicity, gender, and orientation to apply.