



# SUPPORT TO IMPROVING BUSINESS AND INVESTMENT ENVIRONMENT (SIBE)

Terms of Reference (ToR) for Recruitment of Short-Term Expert (STE)		
Title of Assignment:	Support SADC Peer to Peer Investment Facilitation Learning Mission to Mauritius	
Reference no.:	TOR 0294/R.A 1.3/AWP2023-24	
Activity Code:	NI 0294.1.2.3 "STE inputs"	
Responsible SADC SPO:	Mario Lironel, SPO Finance and Investment, SIBE Task Manager, Directorate Finance, Investment and Customs	
Date of issue:	2 August 2023	
1. Background		
1.1 Background SADC	The Southern African Development Community (SADC) was formed in 1980 as the "Southern African Development Co-operation Conference" (SADCC) by nine of the current Member States. On 17 August 1992 in Windhoek, Namibia, the SADCC was transformed into SADC with the signing of the SADC Declaration and Treaty. SADC currently has 16 Member States: Angola, Botswana, Comoros, Democratic Republic of Congo, Eswatini, Namibia, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia and Zimbabwe. SADC has a combined population of approximately 380 million and a Gross Domestic Product (GDP) of more than 780 billion (2021). SADC has a long-term Vision of a regional community that has a common future and that will ensure social-economic well-being, improvement of the standards of living and quality of life, freedom and social justice and peace and security for the people of Southern Africa, as enshrined in the Treaty. In particular, by 2050, SADC envisions a peaceful, inclusive, middle to high income industrialised region, where all citizens enjoy sustainable economic well-being, justice and freedom. This SADC Vision 2050 is expressed in three Pillars: Industrial Development and Market Integration; Infrastructure Development in Support of Regional Integration; and Social and Human Capital Development, and built on a firm foundation of Peace, Security and Good Governance. The Treaty aims are implemented through agreements including Protocols that are legally binding international agreements committing the Member States to the objectives and specific procedures stated within them. Currently, SADC has a number of Protocols, including the Protocol on Finance and Investment (2006, which was amended in 2016); the Protocol on Trade (1996); the Protocol on Mining (1997); the Protocol on Trade in Services (2012);	

	and the Protocol on Industry (2019).
	Through these protocols, the SADC envisage to eliminate barriers to intra SADC trade, eliminate import and export duties, quantitative restrictions on exports and imports and all other non-tariff barriers to trade, and remove any obstacles to the free movement of labour, goods and services.
	In particular, the Finance and Investment Protocol intends to increase cooperation, coordination and management of macroeconomic, monetary and fiscal policies and establishment of macroeconomic stability as a precondition to sustainable economic growth and for the creation of a monetary union in the Region. This would be achieved through coordination amongst central banks on investments and exchange controls, harmonization of legal and operational frameworks, facilitation of regional foreign direct investments, cooperation in regional and capital markets and establishment of a regional clearing and settlement system amongst others. The Protocol on Finance and Investment is an important regional investment facilitation tool as it provides investors with the ability to, among other things, consider tax regimes in making their investment decisions.
	There are additional strategic documents that guide SADC's activities towards regional integration including the Regional Indicative Strategic Development Plan (RISDP 2020-2030) which is underpinned by the SADC vision 2050, and set out the strategic objectives to be accomplished and the foundation of the integration.
	The RISDP outlines the need for promoting the development of sound investment policies in Member States, to improve the investment climate and enhance the levels of intra-SADC and foreign direct investment in the region. This objective is supported by a similar objective aimed at enhancing cooperation in taxation and related matters, including tax information sharing; capacity building for Tax Administrations; and to develop common approaches and policies to the application and treatment of tax incentives and negotiation of tax agreements. This is in recognition that investors, among other things, consider tax regimes in making their investment decisions. The RISDP also highlights the enhancement of monetary cooperation to reform the SADC banking system and harmonization of banking regulatory frameworks. Furthermore, development and strengthening of the financial and capital markets are critical to facilitate free movement of growth and development in the region.
	The Community is supported by the SADC Secretariat that is located in Gaborone, Botswana. SADC is a consensus-based organisation, and the Secretariat is the principal executive institution of SADC. For further information see <u>www.SADC.int</u> .
1.2	The Support to Improving Investment and Business Environment

Background - SIBE Programme	(SIBE) Programme is a five-year Programme, implemented by the Finance, Investment and Customs (FIC) Directorate and financed to the tune of €14 million by the EU under the 11th European Development Fund (EDF). Financing Agreement and the Contribution Agreement were signed in June 2019 and August 2019, respectively. The Programme will be implemented over a period of 55 months from the date of signature of the Agreements. The Programme is implemented by the SADC Secretariat and covers all the 16 SADC Countries.
	<b>The overall objective</b> of the Programme is to achieve sustainable and inclusive growth and support job creation through the transformation of the SADC region into an investment zone and promoting intra-regional investment and Foreign Direct Investment (FDI) in the SADC region, in particular for Small and Medium Enterprises (SMEs).
	<b>The specific objective</b> of the SIBE Programme is to develop the SADC region into an investment zone, promoting intra-regional investment and FDI in the SADC region, in particular for SMEs.
	The Programme focuses its support on the following Results Areas (RAs):
	RA1 - An enabling investment policy framework across SADC Member States is supported.
	This result area covers the following main activities:
	<ul> <li>Set-up a dialogue at regional level on improving investment and business environment in SADC;</li> </ul>
	<ul> <li>Provide ad-hoc support to Member States in developing structured public-private dialogue mechanisms for improving investment and business environment in SADC;</li> </ul>
	iii. Harmonise SADC Member States' investment and business environment related laws and regulations; and
	iv. Enhance the SADC Tax regime in support of a conducive investment and business environment.
	RA2 - Enhanced integration of financial markets in the SADC region is promoted.
	Under this Result area, the programme will assist in:
	i. Developing financial markets in the SADC region
	ii. Developing policies and strategies to address risks to financial stability at regional and national levels; and
	<ul> <li>iii. Strengthening SADC Real Time Gross Settlement System (SADC-RTGS), Committee of Insurance, Securities and Non- Banking Authorities (CISNA), Committee of SADC Stock Exchanges (CoSSE), the SADC Committee of Central Bank Governors (CCBG) and the SADC Banking</li> </ul>

[	Association (SADC BA).
	RA3 - Enhanced financial inclusion is supported.
	This Result Area focuses on developing proper and specific action plans aimed at reducing costs of remittances and developing financial products for SMEs. In particular, SIBE will support the following main activities:
	i. Develop and implement Financial Inclusion Strategies;
	ii. Identify key financial inclusion regulatory areas for harmonisation and capacity building; and
	iii. Monitor Status of and Progress on Financial Inclusion in the Region.
	The Programme management structure is composed by a Task Manager, the Senior Programme Officer – Finance and Investment under the operational oversight and guidance of the Director of Finance, Investment and Customs (FIC).
	The SADC Secretariat has contracted a consortium composed of FinMark Trust, GFA Consulting Group and Southern Africa Trust, under a Service Contract for a Technical Assistance including the provision of one Long Term Expert to coordinate and manage the implementation of activities across the 3 result areas, and a pool of Long and Short-Term Experts.
	The Terms of Reference (ToRs) is a request for the provision of consultancy services to the SIBE Programme to carry out an assignment on: "Support Peer to peer investment facilitation learning mission to Mauritius"
1.3 Background - this	Establishing a conducive environment for domestic and foreign investment is recognised as a major tool for sustainable growth, development, and poverty reduction in the region.
Assignment	To this end, the SADC Protocol on Finance and Investment (FIP) specifically calls for an investment policy strategy to accompany the regional integration objectives of SADC. It requires Member States to co-ordinate their investment regimes and co-operate to create a favourable investment climate within the region. Annex I of the Protocol, on Co-operation on Investment, further refers to the need for harmonisation of investment regimes with the objective of developing the region into an investment zone.
	According to UNCTAD 2022 World Investment report, FDI to Southern Africa jumped to US\$42 billion due to a large corporate reconfiguration in South Africa. New project announcements included a US\$ 4.6 billion clean energy project finance deal sponsored by Hive Energy (United Kingdom) and a US\$1 billion greenfield project by Vantage Data Centers (United States), with its first African campus. Despite the overall positive FDI trend on the continent, total

	greenfield announcements remained depressed, at US\$39 billion, showing only a modest recovery from the low of US\$32 billion in 2020 (down from US\$77 billion in 2019).	
	Attracting FDI and intra SADC investment has been placed at the core of the SADC developmental integration agenda. SADC recognizes that to improve the levels of investment in the region there is need for creation of a favourable investment climate that is responsive to the needs of the investors and the private sector whilst remaining competitive.	
	Investment promotion agencies (IPAs) are at the forefront of government efforts to attract foreign direct investment (FDI) in the digital economy using software development, data centres and cloud computing and information and communication.	
	The use of digital infrastructure for promoting investment and attracting FDI played a key important role mostly during COVID-19 crisis. In their operations, the majority of IPAs accelerated the use of digital tools such as social media campaigns, videoconferencing and internal e-communication. More sophisticated mechanisms to attract FDI – such as virtual site selection visits and digital customer support service.	
	For many consecutive years, Mauritius has been ranked the first in Africa among the key performers and reformers in the area of ease of business. Investment facilitation becomes more key function to attract and retain investment.	
	Under the Support to Improving the Investment and Business Environment in the SADC Region – SIBE Programme, the SADC Secretariat wishes to encourage skills and knowledge sharing and enhance collaboration among SADC investment promotion agencies. Through SIBE programme the Secretariat is planning to engage a Short-term Expert based in Mauritius, to facilitate the SADC peer to peer learning mission to be hosted by the Economic Development Board (EDB) of Mauritius.	
2. Description of the Assignment		
2.1 Global objective	<b>The overall objective</b> of this assignment is to enhance the learning experience and collaboration among SADC national investment promotion agencies.	
2.2 Specific objectives	The specific objectives of the assignment are as follows:	
	<ul> <li>(i) Share experience on IPA setting up and organisation and key functions;</li> </ul>	
	<ul> <li>(ii) Enhance skills and knowledge in investment promotion and facilitation; and</li> </ul>	

	(iii) Learn various experience in investment facilitation, after care service and investor confidence building.
2.3 Requested services	<ul> <li>The following tasks are envisaged in this assignment:</li> <li>(i) Engage and interact with the Economic Development Board (EDB) of Mauritius on key thematic areas to be covered during one day of the peer-to-peer learning mission after the investment subcommittee meeting to be held in Mauritius.</li> <li>(ii) Identify together with the Economic Development Board of Mauritius, an established investor to be visited with a view of learning from private sector perspective, investors' facilitation, aftercare and investors' confidence.</li> <li>(iii) Draft the programme and facilitate the peer-to-peer learning</li> </ul>
2.4 Deliverables	<ul> <li>event</li> <li>The services will be delivered in four separate, but interrelated parts as described in section 2.6 below. It should be noted that the timings and locations below are indicative and may be subject to change.</li> <li>The main expected deliverables of this assignment are: <ol> <li>An Inception Report outlining the understanding of the terms of reference and defining the methodology and approaches to be used and key stakeholders to be engaged during the assignment;</li> </ol> </li> </ul>
	<ul> <li>execution of the assignment;</li> <li>ii. A Data Collection Report with key information on situation analysis of the outcome of stakeholders' engagement;</li> <li>iii. A draft programme on the peer-to-peer learning and facilitation of the event to be held in Mauritius; and</li> <li>iv. A final report with an Executive Summary in PowerPoint format with the main deliverable documents.</li> <li>Note: All deliverables will be the property of Mauritius and to be shared with the SADC Secretariat.</li> </ul>
2.5 Management	The STE will be under the day-to-day supervision of the SIBE Programme Coordinator and Task Manager/SPO Finance and Investment.
2.6 Methodology	The assignment will broadly entail: <b>Part 1: Inception and planning (5 STE days)</b> : During this phase, the STE is also expected to become conversant

	ne SADC Investment Policy Framework and the SADC ss and Investment Promotion Strategy.
Part 2: tasks:	Data collection (20 STE fee days), including the following
i.	undertaking desk review of key documentation related to the investment environment in Mauritius, strategic documents, existing studies, etc.;
ii.	undertaking consultations with relevant stakeholders including officials EDB, the Private Sector and International Cooperating Partners; and
iii.	undertaking desk research benchmarking best practices related to investment.
Part 3: SADC	Drafting the programme of the peer-to-peer learning and facilitating the event in consultation with the EDB and the Secretariat. (5 STE fee days)
	Submission of a final Report (10 STE fee days).

#### 3. Resources allocated

#### 3.1 Resources from the Technical Assistance contract:

	Part 1	Part 2	Part 3	Part 4
Up to 40 STE days per each of Expert	5	20	5	10
Up to per diem days (approximate)	0	0	0	0
Mobilisation travel	0	0	0	0
Regional travel	None	None	None	None
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The STE should be a resident in Mauritius and will be facilitated to engage with stakeholders and is expected to arrange transport at his own cost in the locations of the Assignment.

3.2 Other related resources allocated from the SIBE budget

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Translation of	SADC Secretariat will arrange the translation of deliverables
documents	separately. It should be noted that a minimum of 5 weeks is
	required for translation.

Interpretation	Interpretation, when/if necessary, will be arranged by SADC Secretariat separately.		
Laptop and Communication	Each STE is expected to utilise his own laptop computers, cellular telephones and internet services.		
3.3. Expert profile			
Qualifications and skills	<ul> <li>At least a Master's Degree in Investment Law, Economics, Business Administration, Development Studies, Banking, or Development Finance or any other related area from a recognised institution. A first-level university degree together with at least 10 years qualifying experience may be accepted in lieu of the advanced university degree.</li> </ul>		
	<ul> <li>Excellent written and communication skills in English; knowledge of French and/or Portuguese will be an advantage;</li> <li>Excellent computer skills including knowledge of Microsoft Office packages such as Power Point and Microsoft Word.</li> </ul>		
General professional experience	<ul> <li>Minimum of 7 years of general professional experience in investment area or private sector development;</li> <li>At least 5 years of experience within a public or private sector, regional or international organization.</li> </ul>		
Specific professional experience	<ul> <li>At least 5 years of experience in at least one of the following: economic policy development, Business/investment facilitation and promotion, investment law, private sector development;</li> <li>At least 3 years of practical experience in business and/or investment facilitation, preferably in Mauritius;</li> <li>Knowledge of the issues and processes involved in regional economic integration, preferably in SADC region.</li> </ul>		
4. Location duration	4. Location duration and planning		
4.1 Location of work	The Assignment will be carried out from the STE's home base, in Mauritius.		
4.2 Duration	The indicative expected start date is <b>10 August 2023</b>		
	The indicative expected end date is <b>10 November 2023</b>		
4.3 Working week	The working week is from Monday to Friday, except in the case of official holidays or SADC closure days as recorded in Annex 1.		
	Weekends are not normally considered as working days unless specifically requested and confirmed in advance in writing by the SADC		

	Secretariat.
	However, due to the timing of the event, some weekend dates may be utilised in Part 2 and 3.
5. Reporting	
5.1 Language	The Assignment language is English, and all reporting shall be in English.
5.2 Progress reporting	Submission and approval procedure for inception and progress reports
	All written deliverables shall be submitted in soft copy by email, with Arial font size 12, in a format provided by FinMark Trust to the STE.
	The soft copy must not be in PDF format preventing formatting.
	All reports will be submitted to FinMark Trust through the SIBE Programme Coordinator for quality control; after his review for preliminary endorsement, the SIBE Programme Coordinator will then submit them to the RA Manager and SIBE Task Manager with recommendation for approval. Comments to the reports, if any, will be communicated in writing to the STE within 10 working days of receipt of each report.
	Part 1: Inception report (numbered/STE/IR) and presentation
	The STE will complete a report and submit it by the end of Part 1. The Report will include a methodology for the Assignment.
	At the end of Part 1 the STE will make a brief PowerPoint presentation of the report to the Secretariat
	<b>Note</b> : this presentation is a deliverable and should be annexed to the report. The inception report will be submitted by the STE to FinMark Trust, copied to the Secretariat and National Focal Point/s. FinMark Trust will formally submit it to the SADC Secretariat (Task Manager) for approval.
	After submission, the Secretariat and National Focal Point/s will consider the report and provide any feedback within 5 working days.
	Parts 2 and 3 – Progress report (numbered/STE/PR)
	At the End of Parts 2 and 3, the STE will submit progress reports within 2 working days at the end of each Part; and the draft programme for the peer-to-peer learning event.
5.3 End of	Part 4 - End of Assignment Report (EoAR) and presentation
Assignment Reporting	The STEs will submit the EoAR for approval at the completion of the Assignment. The report shall be submitted in the format provided and will include the following:

	<ul> <li>An Executive Summary of the whole assignment;</li> </ul>
	<ul> <li>List of activities carried-out during the assignment;</li> </ul>
	<ul> <li>Methodology/Discussion of key issues;</li> </ul>
	<ul> <li>Main Conclusions and Lessons Learned;</li> </ul>
	<ul> <li>Recommendations for further support to the beneficiary;</li> </ul>
	<ul> <li>Key Annexes, such as all deliverables produced;</li> </ul>
	<ul> <li>In addition to the report at the end of Part 4, the STE will provide a PowerPoint presentation to the Secretariat of the EoAR on the last day of the assignment (which will be by way of remote link through Zoom or such other e-platform to be suggested by SADC Secretariat). The presentation is a deliverable and should be annexed to the report.</li> </ul>
	<ul> <li>EoAR Submission and approval procedure:</li> <li>After end of assignment, EOAR will be submitted by email to the Consortium through the SIBE Programme Coordinator/Investment Expert for quality control; then, it will be submitted to the RA Manager for technical comment for the STE. Technical comments will be issued within 10 working days.</li> <li>The STE shall address all the technical comments within 15 calendar days of receiving comments and submit the final EoAR to SADC for final technical and administrative approval. If no comments are received from SADC within one month since submission, the EOAR will be deemed satisfactory.</li> <li>Upon acceptance (or if the one-month period has elapsed since submission without comments being received), the EoAR shall be submitted to the RA Manager and the SIBE Task Manager for administrative approval.</li> <li>The Assignment will not be considered to be complete until the approval by the SIBE Task Manager of the EoAR has been obtained.</li> <li>The EoAR shall be delivered in soft copy. The soft copy shall include deliverables produced as annexes. The soft copy must not be in pdf format preventing formatting.</li> </ul>
6. Administrative l	
Timesheets	The STE will complete a monthly Timesheet according to the template provided by TAT, recording days worked and outputs.
	Fees will be due only for working days recorded in the Timesheets that are countersigned by: - SIBE Programme Co-ordinator and Team Leader;
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	- SIBE RA Manager (Programme Officer Investment); and				
	- The SIBE Task Manager.				
	The monthly timesheet submission deadline is the 2nd day after the end of each calendar month. In case of no working days to claim, the STE must submit a nil timesheet or email indicating no claim in the month in-line with the mentioned deadline. The timesheets must be delivered to the SIBE Project Administrator and the Project Coordinator of the contracting SIBE Consortium partner.				
The monthly Timesheet should be accompanied by the r Progress Report, and both should be submitted by e-r review and approval.					
	<b>Note:</b> Travel days for mobilisation and demobilisation are no paying days. Travel days for mission-related travels bet SADC countries will be recorded as working days and will b paying days.				
Travel approval forms	If regional travel is required, the STE will complete a SIBE travel approval form which will be handed to the SIBE Task Manager for processing.				
Travel support documents	Boarding passes of regional and mobilisation trips, copies of hotel invoices and other support documents will be handed over to FinMark Trust through the Programme Coordinator.				
7. Endorsement					
SIBE Programme Coordinator	RA Manager	Task Manager	Director-Finance, Investment and Customs		

SIBE Programme Coordinator	RA Manager	lask Manager	Director-Finance, Investment and Customs		
Mike Nyamazana	Hamilton Thomas	Mario Lironel	S.L. Mtonakutha		
Signature:	Signature:	Signature:	Signature:		
Date:	Date:	Date:	Date		

## ANNEXES TO TOR 029/KRA1.3/AWP5

ANNEX 1: Experts scoring grid

- ANNEX 2: Botswana official holiday 2015/15 (non-working/fee days)
- ANNEX 3: Gantt chart

ANNEX 4: Estimated Budget

#### ANNEX 1

### Experts scoring grid

Qualifications and Experience				
Qualifications and skills				
At least a Master's Degree in Investment Law, Economics, Business Administration, Development Studies, Banking, or Development Finance or any other related area from a recognised institution. A first-level university degree together with at least 10 years qualifying experience may be accepted in lieu of the advanced university degree				
Excellent written and communication skills in English; knowledge of French and/or Portuguese will be an advantage	5			
Excellent computer skills including knowledge of Microsoft Office packages such as Power Point and Microsoft Word	5			
General professional experience:	30			
Minimum of 7 years of general professional experience in investment area or private sector development	15			
At least 5 years of experience within a public or private sector, regional or international organization	15			
Specific professional experience:	50			
At least 5 years of experience in at least one of the following: economic policy development, Business/investment facilitation and promotion, investment law, private sector development	25			
At least 3 years of practical experience in business and/or investment facilitation, preferably in Mauritius	15			
Knowledge of the issues and processes involved in regional economic integration, preferably in SADC region	10			
Score	100			

Day	Date	Occasion
Sunday	1 January 2023	New Year's Day
Monday	2 January 2023	Public Holiday
Friday	7 April 2023	Good Friday
Saturday	8 April 2023	Holy Saturday
Sunday	9 April 2023	Easter Sunday
Monday	10 April 2023	Easter Monday
Monday	1 May 2023	Labour Day
Tuesday	2 May 2023	Labour Day
Thursday	18 May 2023	Ascension Day
Saturday	1 July 2023	Sir Seretse Khama Day
Sunday	2 July 2023	Public Holiday
Monday	17 July 2023	President's Day
Tuesday	18 July 2023	Public Holiday
Saturday	30 September 2023	Botswana Day
Sunday	1 October 2023	Public Holiday
Monday	2 October 2023	Public Holiday
Monday	25 December 2023	Christmas Day
Tuesday	26 December 2023	Boxing Day
Monday	1 January 2024	New Year's Day
Tuesday	2 January 2024	Public Holiday

# ANNEX 2: Botswana official holidays 2023-2024<sup>1</sup>

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 $<sup>^{\</sup>rm 1}$  These dates are indicative and subject to change or confirmation by the Government of the Republic of Botswana.

Tas k ID	Task Description	Durati on (days)	Start Date	End Date	AUG 23	SEPT 23	ост 23	NOV 23	DEC 23
1	Inception period	5	10 /8/23	16/8/23	Х				
2	Data collection and consultations	20	17/8/23	14/9/23	x	х			
3	Drafting the Programme of peer- to-peer learning and facilitate event	5	15/9/23	22/09/23		х			
	Translation of relevant documents								
4	Submission of the final report with relevant annexures	10	27/10/23	10/11/24			x	x	
	Total (days)	40		•	•	•	•	•	

# ANNEX 3: Gantt Chart for each expert