



## TERMS OF REFERENCE (TOR)

Position title	Legal Advisor
Division	Major Project Secretariat of the Infrastructure Fund (MPS-IF) Ministry of Planning and Strategic Investments
Location	Dili
Number vacancy	One (1)
Reference number	RDTL/SGP/FI/I/2025-07
Duration	1 Year Contract (12 month, including 3 Months' Probation Period)
Reports to	MPS Director
Application deadline	<b>February 24, 2025</b>
Application process	Applicants should send CV and cover letter via email: <a href="mailto:sgpinfo@sgp.tl">sgpinfo@sgp.tl</a> or <a href="mailto:asoares@sgp.tl">asoares@sgp.tl</a>

### I. BACKGROUND

The Infrastructure Fund (IF) was established in 2011 to support implementation of the Strategic Development Plan of Timor-Leste for 2011-2030. The regulation of IF and Major Projects Secretariat (MPS) established by Decree-Law № 13/2016 of 18 May with the amendment by Decree-Law № 25/2024 of 22 May. The role of MPS is to provide technical and administrative support to the Council for Administration of the Fund, and managing daily operations under supervision of the Minister of Planning and Strategic Investments (MPIE) who is the President of CAFI. Currently, the IF Portfolio covers 30 programs for agriculture, roads and bridges, ports, airports, electricity, telecommunications, water and sanitation, petroleum, national security and defence, education, and other strategic sectors.

### II. OBJECTIVES

Support to CAFI and MPS Director in regards to the Legal Services under the Major Project Secretariat including the legal and policy advice, draft/review relevant legislation, provide legal opinion, draft minutes of meeting (CAFI), and other legal matters for the Infrastructure Fund. The Legal Advisor will also assist in developing procedures for project planning, and implementation of the infrastructure projects (budget, public finance, contract management).

### III. SCOPE OF WORK

Responsibility	Performance Indicator
<p><b>Support CAFI/MPS:</b> for legal policy and communication with the project owners (Line Ministries, Government Agencies) on the regulatory matters (CAFI meetings, minutes of meetings, deliberations, legal opinion)</p>	<ul style="list-style-type: none"> <li>• Provide CAFI Minutes and Deliberations (Tetum and Portuguese language)</li> <li>• Policy advice for procedures according to the national and international standards in the context of Timor-Leste (RDTL regulation)</li> </ul>
<p><b>Contract Management:</b> Provide comments and legal opinion on the specific contracts and agreements, including FIDIC standards</p>	<ul style="list-style-type: none"> <li>• Contract management advice and comments on the regulation meet legal standards, and contract for infrastructure projects (FIDIC)</li> <li>• Review and prepare Contract amendments</li> </ul>
<p><b>State Budget and public finance:</b> provide legal opinion on the state budget, budget execution law, budget transfers, payments, public finance, fiscal audit reports, and other legal and regulatory matters related to the Infrastructure Fund in compliance with the existing legal framework</p>	<ul style="list-style-type: none"> <li>• Legal opinion to CAFI/MPS provided on time, and consistent with the relevant laws</li> <li>• Support related to the budget preparation and execution, including contract payments</li> <li>• Procedure according to relevant laws and legal opinions meets international standards</li> </ul>
<p><b>Procurement:</b> Legal review process for major decisions, including procurement and contracting, ensuring that these actions do not infringe on constitutional rights</p>	<ul style="list-style-type: none"> <li>• Gather all relevant documents, including project proposals, tender specifications, and draft contracts</li> </ul>
<p><b>Fiscal Control:</b> Maintain communication with all government agencies to ensure that IF/MPS is fully corresponding to the legal regulation, and fiscal control (National Parliament, CAC, Audit Court, MoF, etc.)</p>	<ul style="list-style-type: none"> <li>• Policy advice and processes meet international standards and are practical in the context of Timor-Leste</li> </ul>
<p>Develop and maintain relevant legislative and regulatory materials, the best practices, and a catalogue of the relevant documents</p>	<ul style="list-style-type: none"> <li>• Legal documents accurate and up-to-date</li> </ul>

Contribute to the development of procedures for MPS during all stages of the projects implementation, and manage preparation of the Contracts/Amendments for MPS-IF	<ul style="list-style-type: none"> <li>• Comply with national and international legal standards and regulation</li> <li>• Meet acceptable standards of due diligence</li> </ul>
Perform coordination works with various agencies for legal matters, particularly for the infrastructure projects, including the loan projects documentation, and negotiations	<ul style="list-style-type: none"> <li>• MPS legal documents prepared and approved by CAFI based on legal standards;</li> <li>• CAFI and MPS processed in compliance with the legal requirements of Timor-Leste</li> </ul>
Train MPS staff for the relevant tasks	<ul style="list-style-type: none"> <li>• Capacity building on the RDTL regulation</li> </ul>
Review of the employee contracts and extension based on Timor-Leste Laws	<ul style="list-style-type: none"> <li>• Proceedings to the relevant law in the legal opinion based on the established standard</li> </ul>
Perform other related duties as requested by CAFI and MPS Director	<ul style="list-style-type: none"> <li>• Other duties on time in accurate manner</li> </ul>

#### IV. KEY DELIVERABLES

- Provide legal advice to CAFI and MPS
- Prepare (draft) CAFI Deliberations and legal opinion, and provide legal support regarding the RDTL legislative process
- Provide opinions on contract management, legal and regulatory matters related to the infrastructure projects (FIDIC) in compliance with the existing legal framework RDTL;
- Review MPS contracts and agreements in compliance with the procurement practice;
- Provide reports and legal opinion, including review of the documentations referred to the work of CAFI, MPS, and Ministry of Planning and Strategic Investments (MPIE)
- Within first month develop Working Plan that is consistent with the relevant activities and performance indicators of the MPS, and Ministry's 5 Year Plan;
- Contribute to preparation and translation of the Annual and Quarterly Progress Reports;
- Provide Performance and End of the Assignment Report to MPS Director no later than 10 working days prior to the end of Contract.



## V. SELECTION CRITERIA

### Essential

- **Minimum Master's Degree** in Law, preferably in Civil Law with specialization in Contract Law (preferred);
- **Minimum 10 year's of the professional experience** in legal area in relation to the public finance (budget), and contract law (infrastructure projects, preferred);
- Proven legal experience in contract administration and experience with the project finance (payment execution, procurement)
- Knowledge of the structure and functioning of the legal system RDTL, and Public Administration of Timor-Leste;
- Professional writing skills and experience with preparation/drafting of legal documents
- Excellent communication and interpersonal skills
- Ability to translate reports in English, Portuguese and Tetum Language
- Excellent Portuguese language and English language skills, both written and spoken;
- Tetum language skills are essential/mandatory for agenda, and the CAFI Meetings.

### Desirable

- Knowledge of financial management and legislative processes in Timor-Leste.
- Specific knowledge of the development of legislation on public financial management and administrative law in the RDTL would be an advantage.

## VI. PERFORMANCE EVALUATION

Performance will be assessed by the MPS Director using the Performance Evaluation standards. This position will be subject to a three-month probation period.

### Notes:

- MPS is an equal opportunity employer committed to a diverse workplace.
- Women are strongly encouraged to apply;
- Only shortlisted candidates will be called for written tests and interviews.

