

DRC

Terms of Reference (TOR)

for

Legal Advisor

1. Who is the Danish Refugee Council?

Founded in 1956, the Danish Refugee Council (DRC) is a leading international NGO and one of the few with specific expertise in forced displacement. Active in 40 countries with 9,000 employees and supported by 7,500 volunteers, DRC protects, advocates, and builds sustainable futures for refugees and other displacement-affected people and communities. DRC works during displacement at all stages: In the acute crisis, in displacement, when settling and integrating in a new place, or upon return. DRC provides protection and life-saving humanitarian assistance; supports displaced persons in becoming self-reliant and included in hosting societies; and works with civil society and responsible authorities to promote the protection of rights and peaceful coexistence.

2. Purpose of the consultancy

The Danish Refugee Council based in **Tunisia** seeks proposals from a consultant to meet DRC's legal and fiscal obligations in the country, and protect the organization against risks, the Legal Advisor/Consultant will be responsible for providing accurate and timely legal advice to the organization on a variety of legal topics including, but not limited to, labour and employment, registration, visa, residency & work permits, taxation, social security, service contracts and general operations.

The Legal Advisor/Consultant will maintain current knowledge of Tunisian labour and tax laws provide clarification on legal language and advise the organization and management. The Legal Advisor/Consultant will regularly monitor and ensure the organization's compliance with local laws.

Where required the Legal Advisor/Consultant will also co/represent DRC to the relevant government/private entities/individuals and or to the court of law.

3. Background

DRC Tunisia office was established as a subsidiary association of the Danish refugee Council in 2012. It was established to support country offices in Tunis (Zarzis), Algeria, and Libya. Currently, a total of around 45 staff from Program and Support Services composed of national and international employees work in the coordination office to support other country operations. DRC is currently seeking a legal advisor or consultancy firm to provide accurate and timely legal advice to the organization on a variety of legal topics relevant to our operations in Tunisia.

4. Objective of the consultancy

The purpose of this consultancy is:

- Advise on legal issues and legal risks related to Tunisian legislation, primarily related to labour, local and fiscal law
- Interpret local laws, rulings, and regulations and keep abreast of legislative changes that may affect the organization and inform the management promptly
- Review and/or draft contract templates, employment handbooks and other legal documents
- Assist in the preparation of disciplinary hearing documents, draw up formalities regarding the settlement of disputes and monitor the implementation of the legal clauses
- Represent the organization in front of the court in case of litigation
- Communicate and negotiate with local external parties (police stations, public authorities etc.)
- Advise on international staff, tax and social security payments in Tunisia or other tax/customs duties obligations
- Advise on visas for international staff, work permits, and residency permits
- Advise on financial statements to government and external auditors
- Advise on lease/rent contracts of offices, guest houses and staff houses
- Advise and support on registration process, with Tunisian government authorities, for the organization
- Ensure that the organization is fully compliant with Tunisian regulations.
- Include processes for identifying, assessing, and mitigating legal risks.
- Provide training sessions for focal points staff on labour laws and compliance.

5. Scope of work and Methodology

The Consultant will be required to prepare a detailed methodology and work plan indicating how the objectives of the project will be achieved, and the support required from DRC.

6. Deliverables

The Consultant will support with the following points:

- Advise on legal issues and legal risks related to Tunisian legislation, primarily related to labour, local and fiscal law
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Expected deliverables	Indicative description tasks	Maximum expected timeframe
Advise and assistance	Acknowledge receipt of the email and advice/responses based on the legal framework.	2 working days

The Consultant will mainly communicate via email and phone and when required deliver documentation to the office address.

7. Duration, timeline, and payment

The initial consultancy period would be 12 months with the possibility to extend based on performance and secured funding.

The Legal Advisor/Consultant would be engaged in a consultancy framework agreement and would not be entitled to employment benefits (like full-time DRC staff) but DRC Tunisia would provide the legally required entitlements for consultants as dictated by the Tunisian labour code.

A fixed amount will be paid every month to the consultant.

8. Proposed Composition of Team

- Head of Support Services
- HR Coordinator
- Supply Chain Manager

9. Eligibility, qualification, and experience required

Essential:

- Holder of the Tunisian certificate of practice as a lawyer
- Expertise and experience within legal and fiscal areas listed under deliverables
- Extensive experience working with International NGOs
- Strong interpersonal and communication skills
- Ability to build strong working relations with both the organization and external stakeholders at all levels
- Discretion in handling confidential matters.
- Excellent judgment and ability to anticipate legal issues or risks.
- Proactive approach to problem solving.
- Overall broad legal knowledge and understanding of legal issues affecting the organization

- **Eligibility:**

- The consultant has the authorisation to work in ***Tunisia***.

- **Qualification:**

- At least a Degree in **law**.

- **Experience:**

- A minimum of **7 to 10 days** years of expertise and experience within legal and fiscal areas proven.

- **Skills and knowledge:**

- Copy of any relevant certificates (candidates selected for interviews will be invited to share examples)
- A solid understanding of ***Tunisia's Labour law*** context

- **Language requirements:**

- Written and spoken fluency in ***Arabic, French and English***

10. Technical supervision

The selected consultant will work under the supervision of:

- **Country Director, Andrew Merat, Andrew.merat@drc.ngo**
- **HoSS, Etienne Ramiasa, Etienne.ramiasa@drc.ngo**

11. Location and support

Carthage, Tunis.

12. Submission process

- Profile of the organization and names of three professional referees.
- Copy of legal accreditation
- CVs with full details of experience, skills and qualifications of the focal points of Labor laws, Taxations and Registration or a detailed CV of the individual in case of the individual lawyer
- Copy of any relevant certificates
- Annex A Financial proposal providing total cost of service fees in TND (Must be on the DRC RFQ Tender file)
- Breakdown of the budget, which shall cover all costs throughout the consultancy
- Annex B (DRC general conditions of contract) in attached documents acknowledged and signed.
- Annex C (supplier code of conduct) in the attached documents is acknowledged and signed.
- Annex D (Supplier registration form) completed and signed.

The bid as well as all correspondence and documents relating to the bid shall be written in the English language

13. Evaluation of bids

Only those shortlisted will be contacted for an interview with the panel to ensure their understanding of the consultancy services.