**REQUEST FOR EXPRESSION OF INTEREST**

**SELECTION OF INDIVIDUAL CONSULTANTS**

**REFERENCE NUMBER:** **CS/PROC-UNIT/gnl/041/ss**

**CONSULTANCY FOR EXPERT REVIEW AND DEVELOPMENT OF ANTI-MONEY LAUNDERING AND COMBATING FINANCING OF TERRORISM RELATED LAWS FOR ZAMBIA CS/PROC-UNIT/gnl/041/ss**

1. **The COMESA Secretariat** is inviting Individual Consultants to submit their CV and Financial Proposal for the above services: The Terms of Reference defining the minimum technical requirements for these services are attached as Annex 1 to this Request for Expression of Interest.
2. **Only Individual Consultants are eligible for this assignment**
3. Your Expression of Interest must be presented as per Expression of Interest Forms attached as Annex 2 to this Request for Expression of Interest, in the English language and be accompanied by copies of all the indicated supporting documents. If the supporting documents are not in English, these shall be accompanied by a certified translation into English.

Your application documents clearly marked and email bearing the subject **“**CS/PROC UNIT/gnl/040/ss***”***, should be emailed to the following address: ***procurement@comesa.int*** **CONSULTANCY FOR EXPERT REVIEW AND DEVELOPMENT OF ANTI-MONEY LAUNDERING AND COMBATING FINANCING OF TERRORISM RELATED LAWS FOR ZAMBIA**

1. The deadline for submission of your application, to the address indicated in Paragraph 3 above, is:

***20 OCTOBER 2021 AT 16:00 hours***

1. ***Physical submission of applications is NOT allowed.***
2. Your CV will be evaluated against the following criteria.

|  |  |  |
| --- | --- | --- |
|  | **Criteria**  | **Maximum points allocated**  |
| **1** | General qualifications | 20 |
| 2 | Adequacy for the assignment | 70 |
| 3 | Experience in the region | 10 |
|  | **Total** | **100** |

1. Your proposal should be submitted as per the following instructions:

(i) PRICES:

The financial proposal shall be inclusive of all expenses deemed necessary by the Individual Consultant for the performance of the contract.

(ii) **EVALUATION AND AWARD OF THE CONTRACT:**

Expressions of Interest determined to be formally compliant to the requirements will be further evaluated technically.

An Expression of Interest is considered compliant to the requirements if:

* It fulfils the formal requirements (see Paragraphs 2,3,4,5,6 and 7 above),
* The financial proposal does not exceed the maximum available budget for the contract.

The award will be made to the applicant who obtains the highest technical score. Expressions of Interest not obtaining a minimum score of 70% will be rejected.

(iii) **VALIDITY OF THE EXPRESSION OF INTEREST:**

Your Expression of Interest should be valid for a period of 90 days from the date of deadline for submission indicated in Paragraph 6 above.

1. The assignment is expected to commence within two (1) week from the signature of the contract.
2. Additional requests for information and clarifications can be made until 7 working days prior to deadline indicated in the paragraph 6 above, from:

The Procuring entity: ***COMESA Secretariat***

 Contact person: ***Simatengo Simatengo***

E-mail ssimatengo@comesa.int ***;***  ***smwesigwa@comesa.int***

The answers on the questions received will be sent to the Consultant and all questions received as well as the answers to them will be posted on the COMESA Secretariat’s website at the latest 3 working days before the deadline for submission of applications.

**ANNEXES:**

ANNEX 1: **Terms of Reference**

ANNEX 2**: Expression of Interest Forms**

**Sincerely,**

**Name:** Silver Mwesigwa

**Title:** Head of Procurement

**Date:** 05 OCTOBER 2021

**ANNEX 1: TERMS OF REFERENCE**

**CONSULTANCY FOR EXPERT REVIEW AND DEVELOPMENT OF ANTI-MONEY LAUNDERING AND COMBATING FINANCING OF TERRORISM RELATED LAWS FOR ZAMBIA**

1. **Background**

COMESA Maritime Security (MASE) programme is a component of the broader Regional Maritime Security programme, funded by European Union. The programme was developed following the rising piracy along the Indian Ocean in the early to mid-2000s and it is jointly implemented by four Regional Organizations (including COMESA), each with different focus/mandate, all collectively targeted at curbing piracy and addressing economic effects of this transnational crime.

The COMESA component of the programme aims at strengthening the capacity of the Eastern and Southern Africa and Indian Ocean (ESA-IO) region to disrupt financial networks of pirates and their financiers. To holistically achieve this, COMESA MASE is targeting any form of illicit financial flows through implementation of an anti-money laundering programme in line with Financial Action Task Force (FATF) standards. It is strengthening the entire anti-money laundering chain, starting from reporting entities, Financial Intelligence Units (FIUs), Law Enforcement Agencies (LEAs) and even up to senior government officials (policy makers). This approach ensures that all stakeholders are taking part in the fight against money laundering and other financial crimes in line with their respective obligations as per the international standards. The programme covers twelve countries, namely Burundi, Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Seychelles, Somalia, Tanzania and Zambia.

COMESA MASE has four target areas; enhancing analytical capacity of FIUs and their analytical tools, strengthening information sharing mechanisms domestically and internationally, strengthening AML/CFT laws through reviewing, amending and drafting missing provisions thereby aligning them to prevailing FATF standards, and, enhancing capacity of Law Enforcement Agencies (LEAs). The support rendered is country-specific, in line with countries varying needs.

1. **About Zambia Financial Intelligence Centre**

The Zambia Financial Intelligence Centre (the Centre) is a body corporate established under The Financial Intelligence Centre Act No 46 of 2010. The Centre is the sole designated national Agency responsibility of receiving, analyzing suspicious transactions reports and other disclosure of information bordering on money laundering/ terrorist financing and disseminating resultant intelligence reports to Law Enforcement Agencies (LEAs) and other foreign competent authorities for investigations and prosecutions.

The fight against money laundering and terrorist financing in Zambia and around the world is important to protect our citizens and to ensure the integrity of financial institutions and national Security. Strong and effective Anti-Money Laundering and Financing of Terrorism (AML/CFT) frameworks promote financial integrity by making it difficult to conceal illegal activities.

The Zambian Government endeavors to develop and implement AML/CFT systems that comply with the required international standards. The Government has enacted AML/CFT legislation, to deal with money laundering, Financing of Terrorism, forfeiture and seizure of proceeds of crimes, prevention of corruption, fraud, and financial crime among others.

Furthermore, the AML/CFT institutional framework has been established and is comprised of the following:

1. Anti-Money Laundering Authority (AMLA)
2. Task Force of Senior Officials on AML/CFT
3. Law Enforcement Agencies (LEAs)
4. Supervisory Authorities
5. Reporting Entities and
6. Other stakeholders including the National Prosecution Authority (NPA), the Judiciary, Ministry of Home Affairs, Ministry of Finance, Ministry of Justice, among others.

In order to identify, assess and understand its ML/TF risks, Zambia conducted and completed a National Risk Assessment (NRA) in 2016. The results of the assessment were published in September 2017, along with an action plan for the implementation of the findings. The report identified significant gaps in the national ML/TF combating ability which included deficiencies within the stakeholder institutions.

1. **The Consultancy**

Whilst the authorities have begun implementing actions to address the identified deficiencies, COMESA under the MASE programme is, therefore looking for an expert to undertake the review and development of Anti-Money Laundering and Countering Terrorism and Proliferation Financing (AML/CFT/PF) related laws for Zambia as follows:

1. Expert review of proposed provisions on AML/CFT/PF obligations for virtual assets and virtual asset service provider under the draft Financial Intelligence Centre (General) Regulations, 2021;
2. Expert review of proposed provisions on measures for safeguarding Non-Governmental Organizations against terrorist abuse under the draft Financial Intelligence Centre (General) Regulations, 2021; and
3. Expert review of proposed provisions for measures for implementation of applicable United Nations Security Council Resolutions and recommendations 5 to 7 of the Financial Action Task Force Standards under the Anti-Terrorism and Non-Proliferation Act No. 6 of 2018.
4. Development of framework for certification of compliance officers pursuant to section 23(4) of the Financial Intelligence Centre Act, No. 46 of 2010.
5. **Start date**

The start date for the consultancy is 1st November 2021.

1. **Duration**

The four tasks above are expected to be completed in a total of 24 days, thus 6 days per each task including one day for consultations with relevant stakeholders, where necessary.

1. **Deliverables**

Within 10 days from the end of the 24 days of the entire assignment, the Consultant is expected to submit to COMESA copies of the following:

1. Reviewed provisions on AML/CFT/PF obligations for virtual assets and virtual asset service provider under the draft Financial Intelligence Centre (General) Regulations, 2021
2. Reviewed provisions on measures for safeguarding Non-Governmental Organizations against terrorist abuse under the draft Financial Intelligence Centre (General) Regulations, 2021
3. Reviewed provisions for measures for implementation of applicable United Nations Security Council Resolutions and recommendations 5 to 7 of the Financial Action Task Force Standards under the Anti-Terrorism and Non-Proliferation Act No. 6 of 2018.
4. Draft framework for certification of compliance officers pursuant to section 23(4) of the Financial Intelligence Centre Act, No. 46 of 2010
5. **Payment**

The Consultant shall be paid a total sum of USD12,000.00 broken down as follows:

1. 20% at the beginning of the assignment
2. 80% upon completion of all tasks and submission of all deliverables to COMESA
3. **Expertise required**

1. Holds a Bachelor of Law degree, postgraduate degree will be an advantage
2. Must possess a professional qualification in AML/CFT issues, specifically Certified Anti-Money Laundering Specialist (CAMS)
3. Must possess and exhibit prior experience in reviewing and drafting AML/CFT/PF laws
4. Sound knowledge of AML/CFT/PF issues and developments both at regional and global level
5. Sound Knowledge of prevailing FATF international standards and all other guidance notes and developments in this area including on virtual assets

**ANNEX 2: Expression of Interest Forms**

[A. COVER LETTER FOR THE EXPESSION OF INTEREST FOR THE PROJECT 11](#_Toc267927845)

[B. CURRICULUM VITAE 13](#_Toc267927846)

[C. FINANCIAL PROPOSAL 17](#_Toc267927847)

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# A. COVER LETTER FOR THE EXPRESSION OF INTEREST FOR THE PROJECT

REFERENCE NUMBER:

**REQUEST FOR SERVICES TITLE: CONSULTANCY FOR EXPERT REVIEW AND DEVELOPMENT OF ANTI-MONEY LAUNDERING AND COMBATING FINANCING OF TERRORISM RELATED LAWS FOR ZAMBIA**

[*Location, Date*]

To: COMESA Secretariat

Dear Sirs:

I, the undersigned, offer to provide the consulting services for the **CONSULTANCY FOR EXPERT REVIEW AND DEVELOPMENT OF ANTI-MONEY LAUNDERING AND COMBATING FINANCING OF TERRORISM RELATED LAWS FOR ZAMBIA** in accordance with your Request for Expression of Interests number **CS/PROC-UNIT/gnl/041/ss***,* dated [*insert date*] for the sum of [*Insert amount(s) in words and figures*]. This amount is inclusive of all expenses deemed necessary for the performance of the contract in accordance with the Terms of Reference requirements.

I hereby declare that all the information and statements made in my CV are true and accept that any misinterpretation contained in it may lead to my disqualification.

My proposal is binding upon me for the period indicated in Paragraph 7(iii) of this Request for Expression of Interest.

I undertake, if my Proposal is accepted, to initiate the consulting services related to the assignment not later than the date indicated in Paragraph 8 of the Request for Expression of Interest, and to be available for the entire duration of the contract as specified in the Terms of Reference.

I understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Signature [*In full and initials*]:

Name and Title of Signatory:

B. CURRICULUM VITAE

***[insert full name]***

|  |  |
| --- | --- |
| 1. **Family name:**
 | *[insert the name]* |
| 1. **First names:**
 | *[insert the names in full]* |
| 1. **Date of birth:**
 | *[insert the date]* |
| 1. **Nationality:**
 | *[insert the country or countries of citizenship]* |
|  |  |
| 1. **Physical address:**
2. **Postal address**
3. **Phone:**
4. **E-mail:**
 | *[insert the physical address]**[Insert Postal Address]**[insert the phone and mobile no.]**[Insert E-mail address(es)* |
| 1. **Education:**
 |  |
|  |  |
| **Institution:****[Date from – Date to]** | **Degree(s) or Diploma(s) obtained:** |
| *[indicate the month and the year]* | *[insert the name of the diploma and the specialty/major]* |
| *[indicate the month and the year]* | *[insert the name of the diploma and the specialty/major]* |

**10. Language skills:** (Indicate competence on a scale of 1 to 5) (1 – excellent; 5 – basic)

|  |  |  |  |
| --- | --- | --- | --- |
| **Language** | **Reading** | **Speaking** | **Writing** |
| *[insert the language]* | *[insert the no.]* | *[insert the no.]* | *[insert the no.]* |
| *[insert the no.]* | *[insert the no.]* | *[insert the no.]* | *[insert the no.]* |

|  |  |
| --- | --- |
| **11. Membership of professional bodies:**  | *[indicate the name of the professional body]* |
| **12. Other skills:** | *[insert the skills]* |
| **13. Present position:** | *[insert the name]* |
| **14. Years of experience:** | *[insert the no]* |
| **15. Key qualifications:** (Relevant to the assignment)*[insert the key qualifications]* |

**16. Specific experience in the region:**

|  |  |
| --- | --- |
| **Country** | **Date from - Date to** |
| *[insert the country]* | *[indicate the month and the year]* |
| *................* | *......................* |
| *[insert the country]* | *[indicate the month and the year]* |

**17. Professional experience:**

| **Date from – Date to** | **Location of the assignment** | **Company& reference person (name & contact details)** | **Position** | **Description** |
| --- | --- | --- | --- | --- |
| *[indicate the month and the year]* | *[indicate the country and the city]* | ***Name of the Company:******Address of the company:******Phone:******Fax:******Email:*** ***Name and title of the reference person from the company:*** | *[indicate the exact name and title and if it was a short term or a long term position]* | ***Name of the Assignment:*** ***Beneficiary of the Assignment:******Brief description of the Assignment:*** ***Responsibilities:*** |
| ................ | …………….. | ……………………. | …………… | ………………………………………………………………………….. |
| *[indicate the month and the year]* | *[indicate the country and the city]* | ***Name of the Company:******Address of the company:******Phone:******Fax:******Email:*** ***Name and title of the reference person from the company:*** | *[indicate the exact name and title and if it was a short term or a long term position]* | ***Name of the Assignment:*** ***Beneficiary of the Assignment:******Brief description of the Assignment:*** ***Responsibilities:*** |

1. **Other relevant information:** (e.g. Publications)

***[insert the details]***

***19. Statement:***

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engaged.

I hereby declare that at any point in time, at the COMESA Secretariat’s request, I will provide certified copies of all documents to prove that I have the qualifications and the professional experience as indicated in points 8 and 14 above**[[1]](#footnote-1),** documents which are attached to this CV as photocopies.

By signing this statement, I also authorize the COMESA Secretariat to contact my previous or current employers indicated at point 14 above, to obtain directly reference about my professional conduct and achievements.

|  |  |  |
| --- | --- | --- |
|  | Date: |  |

**ATTACHMENTS:** ***1) Proof of qualifications indicated at point 9***
 ***2) Proof of working experience indicated at point 15***

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# C. FINANCIAL PROPOSAL

**REFERENCE NUMBER:** **CS/PROC-UNIT/gnl/041/ss**

**CONSULTANCY FOR EXPERT REVIEW AND DEVELOPMENT OF ANTI-MONEY LAUNDERING AND COMBATING FINANCING OF TERRORISM RELATED LAWS FOR ZAMBIA**

Please insert your Total Financial Offer

|  |  |
| --- | --- |
| **TOTAL FINANCIAL OFFER**  |  |

Signature [*In full and initials*]:

Name and Title of Signatory:

1. ***The proof of stated qualifications shall be in the form of the copies of the degrees and diploma obtained, while for the professional experience the proof shall be either acknowledgement letters from the previous employers or copies of the Purchase Order/ Contract signed with them.***  [↑](#footnote-ref-1)