



## Pacific Islands Regional Oceanscape Program (PROP)

Project Number: P151780

Department of Fisheries  
Ministry of Natural Resources  
Teone, Funafuti  
TUVALU

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### Terms of Reference

#### Legal Consultant: PROP/ TFD/C2/CS1-2020

<b>Title</b>	Consultancy to review and introduce fisheries legislation in line with the Funafuti Reef Fisheries Stewardship Plan
<b>Location</b>	Funafuti, Tuvalu
<b>Duration</b>	Estimated 60 days
<b>Start Date</b>	Planned start date March

Tuvalu has received financing from the World Bank for the *Pacific Islands Regional Oceanscape Program (PROP)*. PROP comprises a series of projects, which includes separate but complementary national projects in the Federated States of Micronesia, the Republic of the Marshall Islands, Tuvalu, the Solomon Islands, Kiribati, Samoa and the Kingdom of Tonga, and a separate but complementary regional project implemented by FFA.

The PROP development objective is to strengthen the shared management of selected Pacific Island oceanic and coastal fisheries, and the critical habitats upon which they depend. This will provide the basis for sustainable and increased economic benefits to the participating Pacific Island countries from this resource.

This consultancy aims to review and introduce fisheries legislation for the conservation and management of the Funafuti lagoon particularly the Conservation Area in Funafuti through the Funafuti Reef Fish Stewardship Plan (FRFSP). These legislation will ensure the effective management of marine resources for food security.

#### BACKGROUND

The PROP project in Tuvalu has dedicated to supporting the Funafuti Reef Fish Stewardship Plan (FRFSP) over the years. The Funafuti Reef Fisheries Stewardship plan, which was developed through a process of stakeholder consultation, calls for sustainable management of reef fish in Funafuti. The *FRFSP strategy 1 strengthening the Funafuti Conservation Area, strategy 2 fish size limit and strategy 4 ensure everyone is involved and invested* are the key objectives of the Funafuti fisheries plan.

The consultant will work with the Fisheries Department and Kaupule Funafuti to identify fisheries legislation and bye laws that needs to be reviewed and introduced. The consultant will help the FRFSP strategies fulfill and move forward. The documented legislation assures the implementation of the

Funafuti Fisheries Plan. Those legislation will promotes the strengthening of the Funafuti Conservation Area and the sustainable management of the marine resources in Funafuti lagoon.

## **PURPOSE**

The purpose of the consultancy is to review and introduce a new fisheries legislation to strengthen the sustainable management of the Funafuti Conservation Area and the Funafuti fishery as a whole.

## **OBJECTIVES**

The objectives of the consultancy is to review, develop and introduce fisheries legislation to be in line with the Funafuti Reef Fish Stewardship Plan.

## **SCOPE OF WORK**

- Consult with the Kaupule Funafuti and Fisheries Department through legislations that needs to be review
- Conduct a review of fisheries related legislation, regulations, bye-laws including plans;
- Consult with stakeholders the need for a legislation to support the FRFSP;
- Develop appropriate legislation to be in-line with marine regulatory framework;
- Review and formulate legal process in consideration with the Funafuti Reef Fish Stewardship Plan
- Draft a legislation based on the outcome of fish size limit study and spawning aggregation sites survey for the Funafuti Lagoon;
- Present the legislations to the Kaupule Funafuti & Fisheries Department
- Assist the Kaupule Funafuti in formulating their fisheries bye laws to support the FRFSP

## **EXPECTED OUTCOMES**

The immediate outcome is to formulate and introduce fisheries legislation to strengthen sustainable fisheries activities

The long term outcome is to have documented fisheries legislation that allows Government bodies, NGO's and the public to be aware of the importance of the FRFSP. The legislations will primarily ensure a sustainable management of marine resources and a secure food security for the people of Funafuti.

## **SPECIFICATIONS AND DURATION**

### **Qualifications and experiences**

The selected Consultant must meet the following requirements:

<b>Degree</b>	Bachelor of Law
<b>Field/Speciality</b>	Law of the sea, fisheries, environment or natural resources law, maritime law or any other relevant specialization
<b>Experience</b>	Minimum 5-10 years of experience
<b>Skill</b>	<ul style="list-style-type: none"> <li>i. Proven report writing and communication skills</li> <li>ii. Experience in review and drafting of fisheries legislation</li> <li>iii. Experience in working with multiple stakeholders (government, civil society and NGO's) in formulating and getting them adopted</li> </ul>

### **Duration of the assignment and Consultant's input schedule**

The proposed levels of inputs is around 60 days as indicated:

1 week for planning and consultation with Kaupule Funafuti

1 week with Tuvalu Fisheries Coastal Section & Fisheries Legal Officer

6 weeks to carry out the detail workplan of the consultancy.

### **Deliverables and timeline**

- Detailed proposed work plan for the assignment submitted and presented to the Fisheries Department and Kaupule Funafuti for discussion and agreement (1<sup>st</sup> week).
- Completed legislation in English and Tuvaluan language be submitted and approved by both the Kaupule Funafuti and Tuvalu Fisheries Department (8<sup>th</sup> week).

### **Payment schedule**

- 30 percent of fees payable upon the client agreement on proposal.
- 30 percent of fees payable upon the client receiving of the draft legislations;
- 40 percent of fee upon the client accepting of the final legislations.

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